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Official Report of Debates (Hansard)

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Journal des débats (Hansard)

Mercredi 2 septembre 2015

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



Chair: John Fraser
Clerk: Sylwia Przewdziecki

Président : John Fraser
Greffière : Sylwia Przewdziecki

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Wednesday 2 September 2015

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mercredi 2 septembre 2015

The committee met at 0901 in room 151.

The Chair (Mr. John Fraser): Good morning, everybody. Good to see you all again this morning. We have another full day ahead of us, another 14 appointees. We're going to get started right away so we can make sure we can get them all done today.

INTENDED APPOINTMENTS

MR. MARK ROBERT

Review of intended appointment, selected by third party: Mark Robert, intended appointee as member, Ontario College of Art and Design University board of governors.

The Chair (Mr. John Fraser): Our first intended appointee is Mark Robert, nominated as a member, Ontario College of Art and Design University board of governors. Mr. Robert, can you come forward, please? Thank you very much for being here this morning.

Mr. Mark Robert: No problem.

The Chair (Mr. John Fraser): You'll have the opportunity to make a brief statement. Any time that you use for that statement will be taken from the government's time for questions. You'll be asked questions by members of all three parties today. Again, thank you very much for being here. You may begin.

Mr. Mark Robert: Thanks for having me. I'm pleased to be here. I thought I'd give you a brief background as to my work and volunteer work in the city.

I grew up in Toronto and attended the University of Western Ontario. Following that, the first decade of my career was in commercial real estate. I spent the bulk of that at Cadillac Fairview Corp., where I was one of their senior leasing people, being in charge of leasing for the Toronto-Dominion Centre.

Leaving commercial real estate in my early thirties, having sort of maxed out the opportunity there, I ended up as chief operating officer of a publicly traded company, called the Art Vault, that sold art. We were a dot-com casualty, so when that ended, I was looking for my next opportunity.

I came across the old Eaton Auditorium at the top floor of the old Eaton's department store. Myself and another guy negotiated with Great-West Life to take over that space. We secured a 30-year lease and we privately raised the money to restore that space. We were notable for being the only people in North America to privately

restore a national historic site. It was the highest-profile heritage restoration in the country the year that it was done. I ran that for 10 years. Of course, if you're familiar with the Carlu, we became the premier special-event facility in the city, servicing all sizes and scope of cultural, corporate and social events. We sold that this past June.

Currently, I'm working on my next opportunity. The Carlu really gave me a voice in the city in terms of some of the volunteer work that I've done. As much as my career is interesting to OCAD, I think the volunteer work that I've done throughout my adult life is really what they honed in on as far as their interest in having me on their board.

In my mid-twenties, I joined the board of a high-level arts organization called C: international contemporary arts. Their main focus at that time was the publication of a magazine called C: International Contemporary Art. It is a magazine that's really focused on Canadian art in an international context. It was interesting for me. I don't have a fine-arts background. I'm just a guy who likes art and is interested in the cultural community in the city. But it gave me access to some of Canada's most senior artists and it gave me a greater understanding of the challenges of cultural organizations. I was on that for probably eight years.

I left that when we transitioned that to a public foundation, which was challenging. After that, I stepped down from that board.

I chaired Casey House's Art with Heart fundraising auction, which is their main fundraising vehicle. I did that for three years. Art with Heart is considered the highest profile art auction in the country—again, an interesting opportunity for me to get further engagement with the art community, specifically in the city, but also across the country.

A couple of years after the starting of the Carlu, I was asked to join the leadership team for the establishment of Toronto's creative cities strategy, which was a joint initiative funded by the province and the city. It was a joint initiative with London, England, and Toronto. It was to put together a strategy for fostering creativity in the city, ultimately with the goal being economic gain; in other words, how the creative sector can be a driving economic engine for the city.

It was probably the most interesting thing that I've done from a volunteer perspective, and it ultimately became the backbone of Miller's economic policy. It

took us to cities in Europe and North America to really understand their best practices—what they were doing. That was 10 years ago, and it's interesting to see what that's done, because it really has created the momentum and created sort of a snowball effect, which was what we were looking for in terms of people understanding the importance of creativity and what it can mean in terms of the economy.

At about that same time, 10 years ago, I also joined the board of Heritage Toronto, which I sat on for two terms. I was on that for eight years. When I left the board of Heritage Toronto—and I'd done a ton of volunteer work—I had to take a bit of a breather. I wanted to reassess what I wanted to do next in terms of volunteer work. I knew that if I was going to get back in, I wanted to get back in on a volunteer basis at a fairly senior level. So I was trying to understand where I was going to get re-engaged. I had a number of high-profile organizations in the city approach me about joining their board, but I really wanted to get back into something that was sort of a connection between city-building and the cultural community.

I had been involved in OCAD from a fundraising perspective for quite some time, and I really kind of homed in on OCAD as where I wanted to get re-engaged. Their chancellor, Kiki Delaney, is somebody I know very well, and I know Sara Diamond quite well also. I have a relationship with both of them, and in conversations with them, they felt as though this would be a good connection, so they approached me about joining the board. And here I am.

The Chair (Mr. John Fraser): And here you are. Thank you very much, Mr. Robert.

Ms. McGarry.

Mrs. Kathryn McGarry: My oldest stepson actually graduated from OCAD in 2004, so it's an organization I know fairly well. I'm also interested in the fact that you've looked for diversity in your volunteer positions. You're very active in the arts community. I know that OCAD is focused on fine art, but as well as the design sector. How do you feel that your experience can really fit that niche?

Mr. Mark Robert: You know, I'm supportive of their vision. I think that our challenge—I'm going to go back to my experience on the creative cities situation. Our first challenge, of course, with creativity, is to really define it, because it can mean everything from entrepreneurialism to research and development to grassroots fine arts, graffiti art. I think that OCAD has done a good job as far as expanding their umbrella to include a lot of other different disciplines.

From a design perspective—I mean, I love the design perspective. I'm a lover of architecture. I'm a quasi-designer myself. I think that's what's interesting about this school. I think that when they got their university designation, they had to be a little more pragmatic as to what creativity can mean. I think that how they've expanded their umbrella to include things like design, to include things like biomimicry, to include things like all

the different disciplines that they're looking at, is really interesting.

0910

When I'm out talking to people, senior people in the business community or out in the community, everybody's trying to connect with the cultural sector, the same way that the cultural sector is trying to connect with the business community and the broader community.

I think that it's really interesting, the conversation that's happening right now as far as both sides of the coin supporting one another. I think that OCAD has a terrific opportunity of really being centre ice in this conversation, in this broader conversation, which is really kind of what I'm excited about, about being involved there.

Mrs. Kathryn McGarry: That's wonderful. If indeed OCAD goes forward—I know that they're looking at potential plans to develop, or redevelop, the university—do you feel that you can contribute to those discussions too?

Mr. Mark Robert: Yes. I should have asked Sara why she wanted me on their board before coming here—Sara and Kiki. But I think there are a lot of different things. I was asked to be on the board of Artscape as well. I think Artscape and OCAD have done a really interesting job as far as understanding the opportunity of section 37 as far as a growth engine from a facilities perspective for the university. I was one of the top leasing people in the country, and I understand real estate. I think that ensuring that this—having campuses all over—doesn't become an unruly nightmare—it is an opportunity. I think that I can contribute to that.

The Chair (Mr. John Fraser): Thanks very much. That's all the time. You'll have to hold that thought. Sorry.

Mr. Mark Robert: Thank you for that. I think I was wavering there a bit.

The Chair (Mr. John Fraser): Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. I see from your resumé that you've had lots of opportunity to create companies and develop them in the field. It sometimes takes a good salesperson to do that. Do you think today's colleges are doing that for the students: making them entrepreneurs and giving them the tools they need?

Mr. Mark Robert: It has been 30 years since I've been in university, but I think, from what I've seen—and, of course, I'm not on the board of OCAD yet. I've done the board orientation and the rest of it, and certainly I'm somewhat familiar with the school, but I've been brought into a bunch of really interesting conversations. I think that they're doing a really good job.

When they got their university designation a decade ago—you have to understand how, in the creative sector, the training there can ultimately lead to viable employment. I think that what they're doing and how they are connecting some of the dots—I think they're doing a really good job at being pragmatic about this. They're no longer romantic about what the university can be or what it should be, and I think that's a really good step.

Mr. Jim McDonell: Okay.

The Chair (Mr. John Fraser): Ms. Thompson.

Ms. Lisa M. Thompson: Thank you very much for being here today. I particularly appreciate the passion that came through as you articulated your interest in this opportunity.

In that regard, as you look ahead and anticipate taking a seat at the board table, what are some goals that you have? You can't help but think, "Oh, man, when I get to that board table, I'd like to see this, this and this," or "A, B, C needs to be improved"—

Mr. Mark Robert: But you know what? I do know why they have an interest in having me on their board.

Ms. Lisa M. Thompson: Okay, good.

Mr. Mark Robert: I've got a wide sphere of influence in a host of different communities, and I think, from a fundraising perspective, I'm a bit of a golden boy where that's concerned.

But what I think is interesting—I know the challenges between the fine-arts community at OCAD and this broader umbrella that they're trying to bring to the university and this pragmatism that they're trying to bring to their curriculum. While I'm wholeheartedly supportive of that, I think it's important that the university doesn't exclude its fine-arts background—and I don't think that they are, by the way. I think that there's a bit of a messaging problem there. I think some of the old guard in the arts community—and I know this from my days in my early twenties on *C Magazine*—it's difficult to get them to change their minds. They're difficult to convince that art can no longer just be a romantic endeavour, that you can't be just marketing to yourself.

My deep connection with the arts communities, whether it's the gallery owners in the city or the premier artists—I think that there's a really good opportunity for me to go in there. I've already had conversations with people, because everybody knows that I'm sort of an outspoken guy. I think there's a great opportunity to communicate to them, "Everybody calm down a bit here. We're not trying to push anybody aside here; we're trying to expand the umbrella."

When I look at the fundraising side of things, I'm really focused on trying to get them the 24-hour studio space; I think it's important. I think it's important for the branding and I think it's important for the messaging for the university that they deal with this side of things. I think the studio space is substandard. I think that there should be 24-hour access to it.

I also think that the artist community can't be looking at everything in black and white. If you've got a vision and you're trying to move forward, you can't just do nothing. You've got to put forward a plan, and if there's some pivoting that's required along the way to ensure that we are in fact moving forward, then you pivot. But to say, "Any change is bad change"—I don't agree with that. I think I've got a great ability, and I've already been bringing people back into the fold, saying, "Wait a minute here. If we want to have a conversation about this, let's have the conversation." But some of the tack

that has been taken by some people I don't think is helpful to the cause.

Ms. Lisa M. Thompson: Very good. I appreciate that, and I think they're going to be lucky to have you.

Mr. Mark Robert: Thank you.

The Chair (Mr. John Fraser): Mr. McDonell.

Mr. Jim McDonell: I see you sat on the Heritage Toronto board. In my own township, I sat on the—

Mr. Mark Robert: Sorry, I can't really hear you terribly well.

Mr. Jim McDonell: Oh, sorry. You sat on the Heritage Toronto board for years.

Mr. Mark Robert: Yes.

Mr. Jim McDonell: Back in my township in the east, we settled it about 200 years ago and there is no shortage of old buildings that we'd like to keep, but of course there's always a shortage of money. I'm sure you had the same issues in Toronto. Anything you are able to bring from your experiences in Heritage Toronto over the years you were on that commission?

Mr. Mark Robert: Sorry, I'm not sure if I—

Mr. Jim McDonell: Just some of your experiences with Heritage Toronto.

Ms. Lisa M. Thompson: Can you marry the two together?

Mr. Mark Robert: Oh, yes. Heritage Toronto was frustrating. I felt as though the world was crumbling around us and they were trying to save a fence. It's a tough organization. I'm supportive of what they're trying to do.

Heritage development in this country is challenging. It's challenging to raise money. There are lots of old buildings, but the big challenge with heritage development is understanding what to do with these properties. It sounds lovely to restore an old building, but these places can't be museums; you have to figure out what to do with them.

On these various boards that I sit on, I think that I bring a pragmatism to it. I'm forever being the one saying, "Okay, what are you talking about here?" On the board of Heritage Toronto, there were a lot of academics. That changed over the years. There was a lot of discussion about things where I would say, "Wait, that's not a real-world discussion."

I was the only person on the board that had actually restored a heritage site. It was challenging. Every day, we had people coming after us. We used to say that if we could get two days in a row, we were doing well—the hurdles that we had to overcome. So I understood the challenges; I understood the importance of things like the heritage tax credit. Our property was one of the first to secure the municipal heritage tax credit. I understood the importance of that in terms of what it means to the viability of these businesses.

Mr. Jim McDonell: That's good. Thanks.

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The Chair (Mr. John Fraser): Thank you very much. Mr. Gates.

Mr. Wayne Gates: Good morning, sir. How are you?

Mr. Mark Robert: Good.

Mr. Wayne Gates: It's always nice to come to work on a Wednesday morning after the Jays won in extra innings: Everybody's in a good mood, and so are you. I can tell that what you have done throughout your entire life is—you're passionate about it.

Volunteering—I talked about this yesterday—is really an art that we've got to get more young people involved in. All our clubs are hurting. On the heritage side, we have an arts display this weekend for three days, where local artists, Canadian artists, are selling their art. But your talk—you have no notes. You obviously know what you're doing and where you'd like to head, but you're also very honest on some of the challenges around fundraising, particularly with the ones that aren't sexy, and heritage and sometimes arts and culture aren't.

I'd like to ask you a question. Do you see the opportunity being lost in the city of Toronto around using this as an economic driver for communities, smaller communities, for jobs for people to move into, really opening up either businesses or making an opportunity to make a living on it, whether it be in research and development—where do you think it should go, particularly with the university?

Mr. Mark Robert: It's interesting. I meet with everybody, and all the CEOs that I meet with are trying to understand how to engage the cultural sector, and not to engage it in terms of having art on their walls; they're trying to understand how to bring some creativity to their businesses, you know, that creative thinking rather than linear thinking. They're trying to get people thinking out of the box.

I think that there is a critical place for this type of broad thinking in terms of what it can mean to the economy. We're living in a country where it's no secret that the manufacturing sector is being assaulted from left, right and centre. I think that the creative industries really offer a terrific opportunity. And it's not just in the big urban centres, or it shouldn't be just in the big urban centres. I think there's an opportunity for this to be more broad-reaching.

The people who I know who are running investment firms are interested in people who have some engagement with the creative sector. You see it in all businesses. I'm friends with all the big developers in the city. You're no longer just putting up buildings; you're having to put up buildings with high LEED standards. You're putting up buildings where the 1% contribution to art is no longer seen as a hurdle; it's seen, really, as a marketing tool for their properties. I think this is kind of pervasive.

What we had hoped with the creative city strategy was that we were going to start a movement where everybody understood the power of creativity, not just in the creative sector, but a broad-reaching understanding of it. I think that we've achieved that, or at least we are achieving that. We are in the process of it. And you see that. You see the greater engagement of people, from buyers buying Canadian art. You see a greater understanding in the power of architecture and the power of

place and what it can mean to the enjoyment or the productivity of a job. You see this all over the place, and I think it's a really powerful time.

I really believe that OCAD has the opportunity to be centre ice in this process.

Mr. Wayne Gates: In other words, the lead to expand it the way it should be, rather than—

Mr. Mark Robert: Sorry?

Mr. Wayne Gates: Lead.

Mr. Mark Robert: It's L-E-E-D.

Mr. Wayne Gates: Oh, okay. You're talking about something—

Mr. Mark Robert: It's L-E-E-D. It's the highest environmental standard.

Mr. Wayne Gates: The other thing is that you touched on the 1% contribution. Not every municipality does that. I know there is a movement in our area to go to city councils. They've made presentations to say that when they are doing their development, 1% should go. But it isn't done in all communities right across the province and it really should be.

The other thing I'd like to ask you about is heritage, which is interesting to your point. I come from a riding like Niagara-on-the-Lake, which has a lot of heritage buildings that you're probably aware of, but also a lot of history.

The War of 1812 was down there, and it's interesting to me that in Canada we don't celebrate our overall heritage like we should. We didn't energize, really, the country around the War of 1812 and what it meant to our country, and I was wondering if you have any feelings on that. Should we celebrate a little more our heritage—where we've been, where we're getting to and the vision to celebrate it in the future in relation to economic development?

Mr. Mark Robert: Oh, for sure. I came at the Carlu, really, because of my love of architecture. I don't know what it is about Canadians, that we don't bang our own drums as much as we should. I don't know if it's because we don't feel as though our history is as sexy as Americans'. In terms of the built form—and that's something I can talk to more—it's a pity that so many buildings end up getting torn down. I think there is a role for government to play in the support of these types of buildings. They're incredibly expensive to restore.

We're the only people to privately restore a national historic site in North America, as I'd said. We restore the place and the place opens; at 9 o'clock on opening day, I get served notice by a union that they want to certify us. I've got two weeks to respond to that at a chaotic time in my life. I can't even tell you what the challenge was to respond to that within two weeks.

Then we hear from MPAC. They say, "Well, now that you've restored this space, it's worth double what it was before." It had been closed for 30 years. It wasn't worth anything and it was about to get torn down.

At this point, I'd dealt with everything. I said, "Okay. Forget this." So I called up the mayor's office—they didn't know who I was—and I was like, "I'm going to

complain about my taxes to you.” I didn’t know I was actually going to end up meeting with the mayor and six other people who were all taking notes. I was just really there to complain, but you get assaulted. It was kind of like, “Do you want these places restored, or do you not? I mean, you’re kind of speaking out of both sides of your mouth.”

Then, of course, you deal with MPAC: “It’s not our fault, it’s the province. It’s this, it’s this, it’s this, it’s this.” It’s nobody’s fault. Everybody’s like this, and it’s an impossible scenario.

I’m a guy who has access to people with lots of money and I had a tough time raising money, and if I have a tough time—I know all of the boldfaced names in this city, I know all the people with lots of money, and it was tough to do. These properties are tough to make sense of.

Mr. Wayne Gates: Are you going to cut me off?

The Chair (Mr. John Fraser): You have three minutes.

Mr. Wayne Gates: MPAC is a whole different story on what goes on. We have a Niagara Falls tourist area where there’s a rundown house, and we tear it down. It becomes just gravel and because of how it is in the community, their taxes go up \$150,000. All that just to clean up a mess because when you drove by it, it looked terrible. It goes on all the time and it’s a fight all the time. So I understand your fight there.

But I think what I’d like to talk about, because I think all of the people around here do this quite regularly, is fundraising. It’s an interesting way to do it—I was a campaign chair for the United Way for two years in my community—and going to people and asking for money is a talent. The way to do it, the professional way to do it—maybe talk a little bit about fundraising—is you have to enjoy it, to ask people for money. You have to have the contacts, obviously. How did you become so successful at it? Because I think that’s such an important part of your being on the board, because it’s almost part and parcel.

Mr. Mark Robert: I’m not that young, by the way. Somebody said I was young and I’m really not that young, but I think I’ve got connections with a wide age group and I think that partly why these boards have an interest in me is that I have connections with the next—I’m centre ice in the next group that’s coming in line and they’re all trying to understand how to gain access to that.

0930

But I also think that, from a fundraising perspective, things can change a bit. I’ve already brought to OCAD some opportunities where this is concerned. Rather than OCAD having their hand out asking business for money, I tried to advance the process by saying, “Why not go to businesses and say, ‘How can OCAD assist you with your goals?’”

I brought in a company that’s interested in indoor farming and interested in biomimicry. They’re looking at funding a study at OCAD, that OCAD is doing. I thought, “That is interesting stuff.” You’re going to

OCAD; you’re engaging them and their expertise. Their graduate program is putting together a study on this, and you can charge them two times what it costs to get this study done. I thought, “That’s an interesting type of engagement.” Rather than just having your hand out, “How can we support you and how can you support us?”

I think that is really an interesting opportunity. I think it’s a way that things—you know, you go through ebbs and flows as far as donor fatigue, and I think that with the SuperBuild fund and the rest of it, a lot of people are—

The Chair (Mr. John Fraser): Thank you very much, Mr. Robert. That’s all the time we have for your interview today. I’m sorry to cut you off. Thank you very much, Mr. Gates.

We very much appreciate you taking the time to come in today and present yourself and answer a few questions. We’re going to consider the concurrences at the end of the day. You may step down. Again, thank you very much for being here today.

Mr. Mark Robert: Okay. Thanks very much.

MR. DONALD MacVICAR

Review of intended appointment, selected by official opposition party: Donald F. MacVicar, intended appointee as member, City of Hamilton Police Services Board.

The Chair (Mr. John Fraser): Our next intended appointee is Donald F. MacVicar, nominated as member, City of Hamilton Police Services Board. Mr. MacVicar, can you please come forward?

Thank you very much for being here today. Welcome.

Mr. Donald MacVicar: Thank you very much.

The Chair (Mr. John Fraser): You’ll have the opportunity to make a brief opening statement. Any time that you use will be taken from the government’s time to ask questions. You’ll be asked questions by members of all parties today. Again, thank you for being here, and you may proceed.

Mr. Donald MacVicar: Thank you very much, Mr. Chair and members of the committee. I’m honoured and delighted to be here today.

I’ve been part of ArcelorMittal Dofasco for 35 years now. I’m in the sales department. In the sales department, you have to always meet or exceed your customers’ expectations. With that, I have to be a great listener.

In addition to that, I was in purchasing for 20 years and I was a buyer for on-site contracting. In on-site contracting, you have to ensure that you do a total cost savings and create a number of initiatives to always produce a number of different cost savings. With that, I introduced one strategy: I had a budget of \$30 million and we could never go over that, but the strategy was to introduce a number of competitive suppliers. We went from three bidders to five bidders to seven bidders. With that, the seven bidders reduced their price to get to the five-bidder list; the five bidders reduced their price to get to the three-bidder list. So automatically you had a cost-saving initiative without even asking for it.

I went through the Hamilton Police Service's budget and looked at every single line item for the past five years. I've also done a police services business plan to support the budget, and I find there's a number of potential cost-saving initiatives that we could explore in the future. I thought it would be ideal if you could share those ideas in the future with the other municipalities that have a population of 300,000 or more—Durham, Halton, London, Niagara, Ottawa, Peel, Toronto, Waterloo and York—if there's a forum available where you could share these cost initiatives that everybody together would share in collectively.

With that, I'm also a member of the pension advisory board at ArcelorMittal Dofasco. That's where the president, the five vice-presidents and nine elected members meet, and I'm one of the elected. I've been on the board for 20 years and I've been acclaimed five times. I represent 1,000 employees on that board.

What happens is that each month a fund investor comes in and presents a fund portfolio for the pension plan. We review the transactions, we ask questions, we go over the transactions and then we approve them.

In addition to that, the fund investor comes in and gives us the Canadian and US economy update and also the global economy on the financial markets. So we're right on the pulse of what's happening financially, so much so that I see that—in that meeting, one very important thing is that any employee can ask a question to the president at that time, so what happens is that a number of people approach me. Some folks might have a contentious question or an aggressive question, so I listen very carefully and I take that information, then I go and find additional resources from the financial people, the HR people, and then I present that question at the meeting to the president. We go, we have a good dialogue, we have a good discussion, and the outcome of that is that I take it back to the individual and say, "This is the resolution to that question," what was deemed a contentious issue, potentially. The employee was so pleased that their voice was heard by the president at that meeting. So that was very, very important.

In addition to that, the board itself has the fiduciary responsibility of ensuring that that pension fund for the employees and the taxpayers is fully funded. I see that as so much similar to the Hamilton Police Services Board: They have a fiduciary responsibility to the taxpayers to ensure that the money is well spent, that it's accounted for, that the chief is accountable to that, and also that the trust relationship that is there, that is good now, continues to flourish with the taxpayers.

You may wonder why my passion or desire is to be on this police services board. It goes back about 30 years; the seed was planted. My wife and I have the Inner City Outreach Ministry. I started it 30 years ago. There was massive crime, massive drugs and chronic hunger in the neighbourhood that I lived in. With that, we said, "What can we do?" We started a program for young offenders, for three youth and three adults. That grew quickly to 20, to 25, to 100, and then we added young adults, we added

pensioners, we added everybody into that group. We had 250 people in that group interacting, but in that core group there were 13- to 18-year-olds who were young offenders. There were 20 of them. Their crimes were horrific: assault, assault with a weapon, break and enter, theft under \$5,000, theft over \$5,000, sexual assault, attempted murder.

Then one fellow was stabbed 11 times. He survived, but sadly, there were two young fellows who committed suicide. We said, "What else can we do?" We went out and we doubled our funding. We doubled our volunteer base and we doubled our programming. We went from one night to two nights to three nights to four nights a week, and with that, today, we don't have any young offenders in the program.

The Hamilton Police Services Board has invested in their community and the police services, and the crime rate is going down with all of the positive things that are happening there, so I'm thinking that we continue to invest in Ontario communities.

Just to finish off, I guess my main desire is that I have a passion for everyone to have a safe community. Whatever skills I have that I can transfer to a board or committee or community group, so that I can know that a mom or a senior or a child can go out into their community at 8 o'clock at night and have a safe community and not worry about being mugged or robbed or stabbed—if I can enhance or promote that in Hamilton or Ontario, that would be my desire until my last breath here on Earth. Thank you so much.

The Chair (Mr. John Fraser): Thank you very much. Our questioning begins with Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. I see you have a record of creating opportunities for youth in your area. It's quite impressive, the accomplishments and some of the organization's initiatives.

We hear from many community stakeholders that investing in children's activities is very rewarding not only for the city, but it also ends up being rewarding for the children—it takes them out of risky behaviour and so forth. Can you give us some examples that you've gone through and some of the rewards you've seen personally with the children?

Mr. Donald MacVicar: We had one fellow who liked to steal cars and he was the best in the city. He was charged with six offences and went to jail. We visited him. He phoned us from the Barton Street jail, and he'd be crying because he had just been beat up. They would phone us collect on a Friday night. I had to be at home at 7 o'clock to get the phone call. He spent his birthday, he spent Christmas and he spent New Year's Day in Barton Street jail, and he said, "I want to change." The people who came forward to the judge and presented their case—he realized then that what he was doing was wrong.

Now, he's doing auto mechanics. He's doing very well. He's bought his first house with his wife and he's moved past that, but he's giving back to the community. So that is one example of a young fellow.

There was another young mom. She was about 15. We have a young moms group, and we surrounded her with activities and resources and other people. As a result of that, she continued to go up. She went off to college and got her degree, and now she's having a second child. She's doing quite well.

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Mr. Jim McDonell: Can you see any way of maybe improving, now that you're on the police services side, with the police—making more of those things happen?

Mr. Donald MacVicar: There are a couple of things. One is working with the police services themselves. We did an action team response. Currently, we have our Eva Rothwell Resource Centre. We have the Literacy Express. We've engaged the police officers to be kid-friendly to the children by being their one-on-one tutor. With the one-on-one tutor, it takes away that fear of the police in that way. That has been one opportunity.

I think just continuing to migrate—there are 400 volunteers with the Hamilton police services in the community. If that can continue to be enhanced and increased and just be child-friendly with the police, and not—I always say to call it the literacy salute when you have your police officer go by, because that means that the police are friendly to the children. That's one way of introducing it: that they're not afraid of them.

The Chair (Mr. John Fraser): Ms. Thompson.

Ms. Lisa M. Thompson: Thanks very much for being here. It's obvious you wear your heart on your sleeve, and I appreciate that very much.

My question could be a little sensitive, but I'm curious about your position, or your opinion and your thoughts on it. In the research that was done in anticipation of your visit with us today, we looked into the Hamilton Police Services Board. Some recent items before the board included the fact that the chair of the board commented on a report on street checks, meaning carding, in Hamilton. There was a report done in 2010 where about 9,000 people had been stopped for street checks. At that time, the chair said that he was in favour of street checks.

Given the meeting that we had in Toronto last night and the sensitivity around it, and your commitment to making streets safer—and to youth—I'm just wondering what your position is or what your thoughts are on that particular process, and what we can do to indeed make our streets safer.

Mr. Donald MacVicar: Thank you very much, Ms. Thompson. I think that my involvement with that goes back a long way, and my understanding of it.

I was driving four youth home one night from the basketball tournament, and a police cruiser went by and they said, "Oh no, we're going to be stopped." And one said, "No, we're not. Don's here." I said, "Why is that?" And he said, "Well, you're white." That was a few years back.

I listened carefully over the years, and I listened to all the kids in our program about the situations, and some of the young adults that have been checked. I read up on the minister's meeting last night, and also Matthew Green,

recently, in Hamilton. Deputy Chief Girt has put out a Hamilton Police Service—on bias-free policing, so there's good information there.

I think that it has to come down to, "How would I feel about being stopped on a regular basis?" I think that would be very uncomfortable. Once there's a full study and understanding and an outcome of that, and there's a policy or procedure in place that the minister would bring forward, we would have to support that, but we'd have to have input prior to that, as he's doing now.

Personally, I'm always respectful of the police and every aspect of it, but I'm kind of sensitive to them stopping me in that way. So that sensitivity would transfer to the other people that would be stopped.

Ms. Lisa M. Thompson: Okay. Thank you.

The Chair (Mr. John Fraser): Mr. McDonell.

Mr. Jim McDonell: Just an observation I've had over the years: I went to school in Kingston, and I go back every year for their annual homecoming. I've seen it escalate to a point where they bring hundreds of police to help them on this weekend.

I look at some of the activities going on, and it's really a classic case of not working with a group. It has become one-upmanship. As tough as the police get, the students take it as a challenge, so it has gotten out of hand, for sure.

I talked to a friend of mine who was on the OPP, and he commented that in similar instances in the province, the OPP have a service where they get in and they talk about it. But Kingston has never done that with them and has not been interested.

I wonder sometimes—it's an example of sitting down with the student body, because they're not happy with it either. You'd probably resolve the incidents. Certainly, a lot of the observations I've seen—it really makes it look a little heavy-handed, for sure. What do you do with somebody that's causing a little bit of trouble? You can't do anything more than arrest them, and the students have taken that as a challenge. Have you seen similar instances in Hamilton? Do you not feel that maybe getting together with the groups would be a better way of dealing with the problem of this, versus just going at them and figuring, "We have the law on our side; we can do things"? Just as an observation with the position that you will be holding?

Mr. Donald MacVicar: I think that there are two areas to think on. One is that in Hamilton we have the Hess Street Village. It's a large restaurant area, and there are a lot of youth that participate there. The mounted unit was brought in on a number of occasions, and just the presence of that helped offset any potential altercations. In a situation in Kingston, I think, where there's a large presence of people, the police have to assess the amount of policing that they have to put in there, and also to weight the risks.

They also understand that students are sometimes excitable. It's their new year or whatever. They need some neutralizing or some understanding or some talking to, in the sense of, "This is going to affect your life, if you get charged." If that can be the first step of

engagement, and then if anybody is in a critical situation, absolutely, the police can come in and do what they have to do for those students to obey the law, because you cannot not obey the law. That is required.

There's a fine balance, and the police services are trained to go as far as they can go, but then they have to stop here. If they need more resources, they bring more resources in, but the community engagement prior to—so having the students back in April, when they're leaving university, saying, "Get prepared." Maybe that's the time to start, way back, and then have a presence on the university site and then go be on site during the different programs. There are a couple of thoughts there.

Mr. Jim McDonell: Yes, I think that it's not a matter of resources. They have mounted police. As they escalate, it just seems to have become a competition. I think that it's a wrong type of competition to have when you're dealing with 5,000 or 6,000 students in a group. I think that trying to de-escalate it might be a better way of doing it. I think that even for the student body, it has become a bit of a black eye, but if you're willing to take it to that level, there are always people that will match it, which is the issue.

I'm just wondering, in talking to some other police forces, whether there's sometimes maybe a better way than trying to outnumber somebody in a group that you can't outnumber. You can't bring in 5,000 police. Over the years, it has gotten to the point that something should be done, and I think that it could be done quite easily, just by getting together and talking. That's all I have.

Mr. Donald MacVicar: Early engagement with the students, maybe getting on-site recruitments to the police services in that area, to have cadets, in a sense, but university cadets, who would be another opportunity to be their representatives.

The Chair (Mr. John Fraser): Thank you very much. Mr. Gates.

Mr. Wayne Gates: Good morning, Donald. How are you?

Mr. Donald MacVicar: Good morning, Mr. Gates.

Mr. Wayne Gates: Thanks for coming. As everybody around here may know, I'm a bit of a sports nut. I see that you've been inducted into four sports halls of fame for the sport of powerlifting.

Mr. Donald MacVicar: Yes.

Mr. Wayne Gates: Well, congratulations. I have not been inducted into anything when it comes to sports, but I do enjoy sports. I think that sports actually kind of help you grow as a person. Doing it as a youth, as you did, probably helped you out quite a bit in where you're heading.

We always seem to talk about the negative parts around police officers, for whatever reason. I want to just say that the police officers that I've come across care about their communities. My wife was a teacher. She was a principal. Police officers would come into the school. I really think that's the heart of where we have to head to fix our problem. Our crime rates are down. I think that police officers have to take some responsibility for that.

But I also had the opportunity to go to visit some jails with our critic. What I was absolutely disturbed about was the number of young people who are filling up our jails: 18, 19, 20 years old, who are reoffenders. To your point where you went out into the community: You massaged that group, you gave them hope, you gave them opportunity and, quite frankly, they took to that.

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I was just wondering if you believe that getting into the schools with the police officers at an early age, talking to our kids, letting them know there is help out there if they do have some problems at home or some issues around drugs and that stuff—do you think that is a route that we should be spending a little more time on? Because it seems our jails are being filled up by young people.

Mr. Donald MacVicar: Absolutely. I know the earlier you start, from kindergarten right through, to engage the police into those activities—is the best time because that's when the most influence happens, at the early grades. From ages five, six and seven, they're influenced tremendously. Anything to do that, earlier on, and be influenced—and the presence of the police in a school is a good thing.

Mr. Wayne Gates: Yes, I agree.

Mr. Donald MacVicar: That way, instead of the other situation we've had, having more police in a school and interacting, and just a drive by or a "hi" at an event would be ideal.

Mr. Wayne Gates: Yes, because I don't know if everybody knows that. They actually do that. They have police officers who are assigned to schools who go in and talk to the kids. What I'm saying is, invest more into that type of education. I didn't even realize—it's the first I've heard this—that you've got to get to them when they're five, six and seven.

Mr. Donald MacVicar: Yes.

Mr. Wayne Gates: I was looking more when they're in grades 4, 5 and 6, but it's actually even at an earlier age.

Do you understand the responsibility of the Hamilton Police Services Board?

Mr. Donald MacVicar: Yes. I've read up on it and observed it since I chatted with the late Bernie Morelli about seven years ago. I understand the responsibility of the chair, the responsibility of the board members, and their responsibility to ensure that the chief of police meets their mandate on an annual basis, and how we contribute to support the chief, or ask those to make them accountable. It comes back to listening to the people in the community and getting their voice, and then from there, conveying to the board, the chair and to the chief the importance of these issues.

Absolutely, it's a very privileged opportunity and an honour to be on a police board because you're protecting the safety of the individuals. I can sleep at night at 4 o'clock in the morning knowing that the Hamilton Police Service is protecting me. All the other things I know that go on in the background they do to make it a great community.

Mr. Wayne Gates: Just to your point, it's an interesting comment that you just said about supporting the chief. What does that mean to you?

Mr. Donald MacVicar: It means when there's a challenge going on in the community and there might be some media discussion or there might be some issues with folks, you always follow process.

I've learned that because I've been bullied all my life in a sense. I was in Scarborough in kindergarten at Regent Heights school. A grade 3 came and stepped on everybody's toe. I said, "Mom, that really hurt." In grade 2 we went over to Warden Avenue, a school there, the housing at Cataraqui Crescent. There was one fellow who wanted to beat everybody up and I just ran fast. He never got me. Then in grade 5, they kidded me about my clothes—they're second-hand—and then in high school, and in the community groups there's always somebody who wants to take a shot at you. My only response to all that was to follow process and do something better in your community, similar to the police services.

To support the chief is, "Here is our process. We have to follow it to the law, to the letter in that way," and ensure that that is done. By following that, you get a better response because they know that we're supporting the chief through the process but also that we're compassionate about what the current situation is.

Mr. Wayne Gates: It is an interesting board, at least in our community, and I would think Hamilton is the same way, because the board is high-profile. It does drive a lot of media, so it's being watched. At least that's the way it is—is it the same way in Hamilton with a high profile and a lot of media around your meetings and your decisions? A lot of dialogue.

The second part: Are your meetings open? Ours are open to the public. Is Hamilton? Do you know?

Mr. Donald MacVicar: The media? After every board meeting there's usually a discussion in the newspaper about what has happened, an events update. Anybody who wants to have an opinion on that, they do in Hamilton. The board meetings are open for all of the public part of it and then they go in camera for any, I believe, confidential personnel issues.

Mr. Wayne Gates: Do you know the time commitment that might be required for this appointment? And are you confident you can find the necessary time that goes with it?

Mr. Donald MacVicar: Two things: One, I've been fortunate to have nine weeks of holidays at ArcelorMittal Dofasco. It's very beneficial and I only go away for one week, so we have eight weeks of the year to be at home. Also, through my weightlifting, I scheduled from January 2 to November 15, when we had the worlds, and we did 16 hours of training. Everything—what I ate, when I slept, when I lifted—was scheduled, so that continues to spill into the community work and into the police services board. I schedule the entire year, I guess, to make sure I meet all the requirements, but I have full understanding of the commitment for the hours and I'll always provide probably more than what is needed.

Mr. Wayne Gates: An issue that's come up in Niagara and, again, I would think Hamilton, because you're just up the street, although we both need GO service to our communities—I just thought I'd throw that out to help us get to Toronto. Both of our communities have issues around mental health, and it's taking up a lot more time because of, and I'm not trying to be political, some of the cuts in health care and some of the stuff that's happening. Some of that responsibility, quite frankly, is falling onto the police officer who's on the street every day and tying up a lot of their time in hospitals. That's what is going on. Are you aware of that, or do you have any feelings on that? Because I think that's going to become a bigger and bigger issue, when they tell us one in five now have mental health issues in the province of Ontario.

Mr. Donald MacVicar: I'm very aware of it, and in January, I think, the chief brought out a mental health service provider that went with the different calls, and by doing that, that reduced people being charged or put into incarceration. So I'm very aware and understanding of the mental health process, very much, and through the good work of the health services now, through medication and understanding, I think that continues to be improved and maybe there are fewer infractions in that way. But the police services are provided with additional information and education on how to manage those, and with the health care provider at their side, that really offsets a lot of charges or offences. So, yes. And if that could be enhanced more, that would be ideal.

Mr. Wayne Gates: Okay. Now, a question that—

The Chair (Mr. John Fraser): About a minute, Mr. Gates.

Mr. Wayne Gates: One minute? Okay.

A question that I'd like to ask which is kind of interesting: We put our names up for a board—whatever it is, right?—because we want to serve, we want to volunteer, whatever it is; in some cases, they're paid positions. Do you know, if you're appointed here, the amount of training that you would get to sit on the board before you sit on the board, or do you just—have you looked into any of that? Because I think training is going to be important, obviously.

Mr. Donald MacVicar: I think, going back and reading, and through the interview process, they said that there would be some additional training. I believe it's two or three days of the initial, and then it is to be available for the annual conferences, and additional meetings throughout the year on committees and such, but there's a significant amount of training that is provided.

Mr. Wayne Gates: Okay. Thanks very much. Thanks for coming this morning. I appreciate it. I enjoyed talking to you.

Mr. Donald MacVicar: Thank you very much.

The Chair (Mr. John Fraser): Thank you, Mr. Gates. Madame Lalonde.

Mrs. Marie-France Lalonde: Mr. MacVicar, I want to first thank you for your presentation. Thank you for being here today with us, and for enhancing and enriching us with all your years of experience in your com-

munity, so I commend you for this and congratulations on all of that.

You've talked about your interests. You were very open in answering a lot of questions, but maybe I want to see if you could talk to us about your strengths that you will be bringing to the board for the Hamilton police force.

Mr. Donald MacVicar: Thank you very much. I was told by a very significant supplier of ArcelorMittal Dofasco one time that I'm the toughest, nicest negotiator they'd ever met. So that was a high compliment from a supplier. I utilized that in the future for negotiating all the different contracts, and when I'm firm, I'm firm. But I'm very compassionate and understanding that both sides are understanding in that way, through negotiating. My strength in budgets is that there's an understanding of scope creep of what happens, and the forensic unit that is coming up—it's an \$8-million spend going forward, and I'd be wanting to share my thoughts with the chair to share them with the chief, to say, "Mr. Chair, you should be looking at this, this and this. These are essential; they need to be done." So that is one.

My opportunity to work with community or individuals is to—if you could have a police officer's face on a quart of milk, the weekly police officer, that would make it kid-friendly. So engage the community into compassion, because it's so essential that when something happens in a child's life, they go right to the police—that's essential—instead of running in the other direction.

1000 With that—and there are all different ways of doing that, of further engaging and making it a softer approach, and a caring approach in a way of, it's okay to chat with the police constables in your neighbourhood. That's what I want to promote and encourage with the Hamilton Police Services Board.

Mrs. Marie-France Lalonde: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Mr. MacVicar. I appreciate very much you being here today and answering our questions and presenting to us. This concludes the time for today's interview. We'll be considering the concurrences at the end of the day today. Again, thank you very much. You may step down.

Mr. Donald MacVicar: It's an honour to be here. Thank you to the Public Appointments Secretariat for all their good work. It's amazing what they do.

MS. REBECCA BENTHAM

Review of intended appointment, selected by official opposition party: Rebecca Bentham, intended appointee as member, Mohawk College of Applied Arts and Technology

The Chair (Mr. John Fraser): Our next intended appointment is Rebecca Bentham, nominated as member, Mohawk College of Applied Arts and Technology. Ms. Bentham, can you please come forward?

Good morning. Thank you very much for being here. As you may have heard, you'll have the opportunity for a

brief opening statement. Any time that you use will be taken from the government's time for questioning. There will be questions from members of all three parties today. Again, I appreciate very much you being here. You may begin.

Ms. Rebecca Bentham: Thank you very much, Mr. Chair. My apologies; I have quite a cold today, so please be patient with me.

I'd like to take this opportunity to make introductory comments about my experience and qualifications. I'm a lawyer who was called to the bar in 1985 after attending the University of Toronto and Osgoode Hall Law School. I practised law until 1999.

I began my professional life as a solicitor at the Ministry of Housing, continuing in 1987 as a solicitor at the regional municipality of Halton. During my years at Halton, I worked providing services in the field of development financing, land development, and municipal and planning law. I also provided legal support to the health and social services departments for a number of years.

From March 1999 to the present, I've been the executive director of the Hamilton Law Association, a voluntary not-for-profit organization with 963 members who are lawyers, judges and articling students, where I have functioned as the lead staff liaison for the board of trustees and other committees of the association. My role at the association is to foster volunteerism and develop leadership, as well as seeking internal and external opportunities in accordance with our strategic plan.

I oversee the implementation of our strategic plan in an intensely collaborative environment that requires a high degree of transparency and accountability. We plan and produce 36 to 40 educational events a year, and I attend 50 board and committee meetings a year. As such, I would say that I'm very comfortable with issues involving process, and I'm also used to making very collaborative decisions, and helping to guide and assist in the making of collaborative decisions.

After beginning my work at the Hamilton Law Association, I enrolled at McMaster University and completed a master of arts degree in public policy and administration in 2002. I did this because I was afraid we wouldn't make enough money in the job that I had just gotten; I might have to get another job really soon thereafter, and so I thought if I had left the practice of law, I had better get some more qualifications, so I did. That didn't turn out to be a concern, but I did really enjoy doing the master's at McMaster.

I joined the McMaster Alumni Association board in June of 2008 as second vice-chair and was president in 2009-10. My experiences both with professional development and governance on McMaster University's alumni board have given me a greater appreciation of a wide variety of educational opportunities and professional roles, and made me aware of many of the challenges facing students and new graduates today.

During my time at the Hamilton Law Association, I've become very interested in education, both as a student

and as one who identifies and develops opportunities to provide continuing education to lawyers. Our organization provides many opportunities for its lawyers to teach, learn and develop skills formally and informally. In order to enhance my knowledge of the area of continuing professional development, I've been a member of the National Association of Bar Executives from 2005 to the present, and attended their educational conferences every year.

I'm also very interested in libraries. I was on the County and District Law Presidents' Association library committee from 2004 to 2012. In 2014 I became a member of the board of directors of LibraryCo, the umbrella organization providing funding and policy direction to Ontario's 47 county law libraries.

Community involvement has enriched my own professional development and enabled me to foster strong relationships with those outside the profession. I have volunteered with the Salvation Army Suicide Crisis Line from 2011 to 2012, which also increased my awareness of challenges facing youth today.

I also served on the development council of Hamilton's children's hospital from 2005 to 2007, and served as a member of the United Way John Sopinka committee during those same years.

I hope to serve the board of Mohawk College as another way to give back to my vibrant Hamilton community.

I welcome any questions that you may have.

The Chair (Mr. John Fraser): Thank you very much, Ms. Bentham. Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Rebecca Bentham: I'm pretty well, except for the cold. Thank you.

Mr. Wayne Gates: I was going to say: Sorry to see that you have a cold.

What motivated you to seek this position?

Ms. Rebecca Bentham: As I've said, I'm very interested in education. I'm very interested in youth and training. In my role at the Hamilton Law Association, a lot of the work that I've done has been figuring out how to get people to transfer skills. I think Mohawk is a fantastic place and I would really like an opportunity to be involved there.

Mr. Wayne Gates: What do you see as our greatest challenges or opportunities facing Ontario community colleges in general and Mohawk College in particular?

Ms. Rebecca Bentham: In general, a really big challenge that I see is trying to increase workplace placements and workplace training for new students, people who are going back to school.

When I was young, a long, long time ago, many places had summer jobs—say, General Motors. I grew up in Oshawa. All kinds of people made summer jobs for students. Summer employment was just something that people felt was part of their duty and role as an employer to provide, even if they were a for-profit employer.

I think with globalization and the tightening up of economies and of industries, people have cut a lot of

those training opportunities. You're getting a real split of students where you tend to get very academic people who've never flipped a burger, and then you get people who have flipped a lot of burgers who haven't had a chance to go to school.

It creates a much more socially cohesive society if everybody gets a chance to turn their hand to quite a few things. I think that we need to reawaken people's feelings of responsibility to assist in training of the young. Young people can really benefit. Even a week in a workplace can really benefit a young person in terms of learning how to dress, what to say and how to act. It can really cut off or limit a person's future opportunities if they've never been in a workplace and they try to go in on the first day. If they've never had a placement, it's hard for them to know how to behave.

For independent, different reasons, I've really resolved in my own job to really try to create a lot of opportunities and bring a lot of people in for training and to encourage other places to do that. We all have skills we can transfer, no matter what those skills are. All the staff who work with us have skills they can transfer. I really feel that we need, in Ontario today, to work harder to commit to assisting in the transfer of skills to those who have fewer than we do.

Mr. Wayne Gates: I actually like your answer, but I'll help you out on one thing. The good news is that General Motors in St. Catharines, which is down in my area—in my riding—and in Oshawa, and CAMI, have all hired students this year.

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Ms. Rebecca Bentham: Well, that's fantastic.

Mr. Wayne Gates: That is fantastic because, again, it gives them a half-decent paycheque to go on and go to school. So that is good news, but that wasn't always the case for the last number of years, so you're absolutely right. We have to work hard and make sure that the manufacturing jobs continue to stay there.

But I think the one that you talk about, workplace placements, is interesting to me because—I said this yesterday and I'm very honest—I don't know a lot about Mohawk College but I certainly know a lot about Niagara College. They have really grown over the last number of years with the help of the government with monies to different programs. Some of it has been in skilled trades. We know there is going to be a shortage, going forward, in skilled trades, a severe shortage, so it's an opportunity there in Niagara College.

At Niagara College, what they've done as well—you can tell me if Mohawk has done it or is looking at doing it—is they've taken a look at the courses that they offer at the college and said, "What's going to be the place where they can place them into jobs?" In our area, as you know, Niagara is big in tourism, so there are a lot of classes around that with chefs. But the one that is growing in our area is still the wine industry. It's just exploding down in Niagara.

Niagara is offering classes on how to make wine. They produce award-winning wine and craft brewers. When

you talk about jobs, flipping burgers sounds like a very negative thing, and when you look at the tourist sector, you look at the wine industry, you look at craft brewers, you're thinking, "Well, they're entry-level jobs, they're not making a lot of money." That's not true. They are making half-decent money in craft breweries, particular ones that they are making. Then they end up learning how to make it. They go work for a craft brewer, and guess what they're doing afterwards? They're opening up their own craft brewing place. They do the same thing with wine.

So I'm asking you, do you see that as maybe the way community colleges should be going: to take a look at the market so our young people, after they spend two or three years in a college, are going into a job, and the jobs that need to be filled?

Ms. Rebecca Bentham: From what I know of Mohawk College, they do an excellent job of finding and providing workplace placements. I know that our organization, for example, does provide and fill workplace placements with them.

I don't mean to put down burger flipping. The most jobs I did before I went to university were as an office cleaner, and I've done a lot of food service, a lot of waitressing. I've had a lot of jobs, mostly cleaning. So I think you do learn the business from the ground up quite literally. We learn work from the ground up there.

I think Mohawk does an excellent job of that and I agree that looking at what's working and responding to what's working in a community in an area and trying to develop programs in those areas is a very good thing to do. I think that that is the business of these colleges and that they're doing a good job.

Mr. Wayne Gates: The college has been successful in balancing its budgets and running surpluses. In your opinion, where should the money be invested or re-invested?

Ms. Rebecca Bentham: From other work I've done that's been financial, I guess I would say I have looked over the publicly available Mohawk College statements and their available surplus was less than 2%. On a gross budget of \$197 million, it's very difficult to land something within 1% or 2%. If you cast your mind to your own domestic budget, it's almost impossible to hit a number right on. So speaking as someone who worked in a finance department of a regional municipality, I would say that money should go into a reserve and that then decisions would be made on how to apply it, depending on what the needs were in a particular budget year. It's absolutely really important to have a reserve because there are always contingencies where programs have to stop, or fail, or there are sicknesses or unexpected leaves, or you're waiting for grant money to build a building and you have to come up with some cash. So I think every organization has to have some reserve.

Mr. Wayne Gates: Especially municipalities.

Ms. Rebecca Bentham: Well, there's that, yes.

Mr. Wayne Gates: Should the college have closer relationships with businesses or should it focus more on developing more independent programs?

Ms. Rebecca Bentham: I think that's a really difficult question to answer. I don't think it's an either/or. I don't have the experience of working with Mohawk yet, but I would imagine that you can't be too close to industry in terms of too close to the workplace, in terms of finding opportunities and facilitating training.

On the other hand, there are some people who look to college for basic skills—new Canadians, people who had to leave school who are looking for more of a basic training that's more academic—that don't take place in tandem with industry. I think it's important that colleges maintain both streams.

Mr. Wayne Gates: Yes, and Niagara has a very close relationship with General Motors. They work almost in partnership.

Ms. Rebecca Bentham: My brother worked at one of the plants in Oshawa for quite a long time and then went to Alberta and that plant subsequently closed, so I'm very intimately familiar with certain aspects of General Motors.

Mr. Wayne Gates: The last question I'd like to ask: Have you figured out the time commitment on this and you're good with it? You're looking forward to it?

Ms. Rebecca Bentham: Yes. I'm looking forward to it very much.

Mr. Wayne Gates: Okay. It's been my pleasure talking to you this morning. Thank you.

Ms. Rebecca Bentham: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Mr. Dhillon?

Mr. Vic Dhillon: Thank you very much, Ms. Bentham, for appearing before the committee. What do you think are the biggest challenges facing the post-secondary education system in Ontario?

Ms. Rebecca Bentham: I think that similar to other sectors, the rate of change in the world right now seems to have sped up so much. It's very difficult to respond in a timely way.

When you think about your telephone and your thoughts about what a phone should do 10 years ago versus now—the integration of electronic systems; the speed at which people expect turnaround; the fragmentation of requests for work and your provision back of work—it used to be you got a letter, you opened the letter, you read the letter, you thought about it for a week, you wrote a letter back. Now people are emailing and they're saying, "What about this? What about this? What about this?"

Trying to train people for that, and I think the juxtaposition of quick and slow—it takes a lot of sitting and thinking and sitting and reading text in some format to really take a lot of ideas on board and to really develop your own knowledge base and your own ability to reason.

The difficulty at this time is that so much of what's happening around students is so quick that it's harder for them to develop the attention span than when I was the general college age and there were only nine TV stations where I lived and no Internet. All you could do was go

get a job because there was nothing else to do where I lived.

I think that funding is also a major problem—it's a problem of all governments, getting enough money to do things—and then what I mentioned about having a curriculum that's heavy enough on the ideas side, still something that people can carry and yet is also facile enough on the keeping up with the modern world side and the workplace side and getting people through all of that.

Mr. Vic Dhillon: You have a long work and experience background. What do you think is the biggest impact that you would make?

Ms. Rebecca Bentham: I've spent so much of my life in board meetings with a lot of lawyers that I think I really know my strengths and weaknesses, because when you're looking at 12 other lawyers, you know they know what you're not good at and they know where your experience is weak, and so you learn that there's no point in pretending that you know more than you do because it makes things worse for you in the end.

I think I'm good in a group. I do think I'm a very action-oriented person, I'm intuitive, I'm able to pull up solutions with what fits and I'm somebody who can make decisions and get things done, rather than just sit and ponder the vagaries of what the problems are. So I think I can help to get things done.

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Mr. Vic Dhillon: Okay, good. Thank you very much.

The Chair (Mr. John Fraser): Mr. McDonell.

Mr. Jim McDonell: You talked about the need to give students that experience in the workplace.

Of course, I grew up on a farm and worked on a farm, but in my first job, I was able to just show up at a place at 7 o'clock in the morning and see if they needed somebody and start working. It was a construction job.

I don't think it's that way today. Have you experienced the roadblocks for hiring young students that maybe don't have a lot of experience? Are the roadblocks great enough that it's very difficult and they just go somewhere else, whereas they grab somebody who maybe has had years of experience—many times, it's retired people—and don't give the young people the chance?

Ms. Rebecca Bentham: Yes. I think that because of the rate of change, people feel you need an online ad; you need an online application and it has to have a resumé, it has to look good; you've got to meet the person. It takes almost a month. Even if you're fast, it takes a month to get somebody in.

I think it is more complex now, and it's hard, and younger people need advice on how to do things. I think the fact that all the information is now removed from us by electronics—you don't walk into a place and ask somebody, "What do I do?" "Oh, it's on our website." You're supposed to look on a website and work your way through that. I think it is more complex. Once people have done something once online, they find it much easier. I think we have to support people in doing these things for the first time online.

But then I think we have a dual fluency in this room, where you grew up—we had to type our own essays, and there wasn't a computer at school, so we had to talk to people, which gives us a fluency and an ease with asking people how to do things that people who grew up where there's no talking—I think people undersell. They think, "I don't really know how to use this computer thing right," but they don't realize they have a dual fluency that a lot of the younger people have to struggle to achieve.

To that end, we have to provide a lot of face-to-face experiences for kids, because if they don't get provided with day-to-day experiences by summer camp or day camp or drop-in centres, they can be so silent and static, especially with a single parent at work. They can be so silent and static all day, where they're just asking things online. I find I have instances where I have to coax my kids: "Well, just phone the person and ask them." "No, I'm going to email them." "Well, just phone them and ask them."

I think we have to really work to provide the face to face, because part of a split in the modern world is that younger people would—and it's not a put-down; it's my observation of my family, that if they can text, they'll text. If they can't text, they'll email. If they can't email, they'll think for a day and then they'll phone. We have to urge people—we have to provide those face-to-face opportunities. We grew up without that, so we don't mind walking up to somebody and saying, "Excuse me. Do you know where I am? How do I get somewhere?", whereas a lot of other people would not ask that. If they've grown up with the electronics, they'd say, "I don't have Google Maps today on my phone," but they wouldn't ask. I think that is a big thing, that we need to help those who grew up in an electronic age to become more comfortable with the face to face, because a lot of things can never happen without the face-to-face part.

I'm sorry. I strayed far from your question.

Ms. Lisa M. Thompson: No, that was good. I totally can appreciate what you were saying there.

Mr. Jim McDonell: I see that Mohawk College closed its Brampton campus just recently.

Ms. Lisa M. Thompson: Brantford.

Mr. Jim McDonell: Of course, now you've got an area that has no institution. In my riding, the University of Guelph closed Kemptville College. This will be, I believe, the first year that it won't be in place. So now you have a large area that has no access to post-secondary, at least in the agricultural field.

Do you see that—especially when you look at Mohawk, that has surpluses; it wasn't necessarily a financial thing—as maybe the province's role: making sure that all areas are serviced properly, one of them certainly being education?

Ms. Rebecca Bentham: I can't speak to your individual circumstances because I don't have any knowledge about that. I would say in a general way that it's part of the role of government to try to ensure that there is as much coverage as is practicable in terms of making sure there's somewhere for people to go.

Mr. Jim McDonell: Well, in this case here, of course, our local, closest college now is in western Ontario—and it is our number one industry in this province. It begs the question of having two colleges left in this province for agricultural purposes.

What skill sets do you think you bring to the board in governance and transparency from your past experience?

Ms. Rebecca Bentham: In governance and transparency?

Mr. Jim McDonell: Well, just in general that you'd bring to the board.

Ms. Rebecca Bentham: I think I'm very aware of process, of decision-making. I think I have a good knowledge of all the quandaries and dilemmas of youth and a good knowledge of financial aspects of management. At the time that I was at Halton, we had a gross budget of \$220 million, and I did the work for the financial department, or I supported the finance department. So I think that I'm fairly well-rounded in terms of awareness of different areas.

The Chair (Mr. John Fraser): Ms. Thompson.

Ms. Lisa M. Thompson: How much time do we have left?

The Chair (Mr. John Fraser): You have three minutes and 31 seconds.

Ms. Lisa M. Thompson: Thank you very much.

I appreciate your thoughtful comments. They show how connected and how appropriate you are for a position like you've applied for, and I thank you for that.

I couldn't help but make note of the fact that you mentioned your brother went to Alberta. I represent a rural riding as well, and one of our largest net exports is our youth, because the trend tends to be that where youth go to school, they tend to set up shop or migrate there on a more permanent basis, based on their learning.

I also reflect on some of the questions my colleague from Niagara asked with regards to matching the realities of today's job world with programs that will enable young people to seek out jobs, possibly in their home area as well. I'm just wondering, do you foresee an opportunity in this particular role you've applied for to impact the board to say, "We need to revisit our course curriculum; we need to take a look at our programs"? That's kind of a yes/no answer, but what are your thoughts around doing an assessment of what colleges are currently offering versus the type of skill and the type of job that needs to be filled in 2015?

Ms. Rebecca Bentham: I think that I would have to really review in totality what it is that they offer, and then I would have to ask them what mechanism they have in place in terms of assessing whether what they offer fits what work is out there before I could answer that question, because some institutions would have an automatic review process in place of looking at the jobs as they are and looking at the training that's offered. So I would need to review that.

But I would totally take your points that it's really important that we try to train people for the work that exists and try to train them as best we can.

Ms. Lisa M. Thompson: Very good. With regards to the role that you've applied for, again, I applaud Mohawk for having a surplus, but the fact of the matter is that it's a concern of mine as well as my colleagues that we see campuses closing. Again, it's all about access for our students. Transportation is an issue; the cost of living is an issue. I just saw a headline this morning where all of a sudden, OSAP is becoming riskier. How should we be promoting post-secondary education to students with a lot of perceived hurdles in front of them?

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Ms. Rebecca Bentham: Well, with respect to places closing, I think there is a trend towards amalgamation of different institutions and paring down of institutions. If we think about our home communities and the schools—the high schools, middle schools, grade schools—there's a trend towards trying to have fewer schools with more students, because it lowers the unit cost, if you will, of education. I think that the costs of physical premises are a reality with every sector, and that there's a trend to really pinching the pennies on the costs of physical premises. I think that's a trend. I don't know anything about the Mohawk situation. I think that they've thought carefully about the decisions that they've made in the past and looked at many details.

Another thing I would say is that there are a lot more people studying online. I have one child who attended Wilfrid Laurier—two actually, but one took some of the courses online, because they couldn't get into the courses they wanted to necessarily, and it was a way to save time. I think that also lightens up how many people want to walk into the physical premises. It's difficult to know to what extent—

The Chair (Mr. John Fraser): Thank you very much, Ms. Bentham, for being here today, answering our questions and presenting to us.

Ms. Rebecca Bentham: My pleasure. Thank you.

The Chair (Mr. John Fraser): That concludes the time for the interview today. We will be considering the concurrences at the end of the day. Again, thank you very much for being here and you may step down.

MR. ZBIGNIEW KRUPA

Review of intended appointment, selected by official opposition party: Zbigniew Krupa, intended appointee as member, Council of the Registered Insurance Brokers of Ontario Complaints and Discipline Committee.

The Chair (Mr. John Fraser): Our next intended appointee is Zbigniew Krupa, nominated as member, Council of the Registered Insurance Brokers of Ontario Complaints and Discipline Committee. Mr. Krupa, good morning.

Mr. Zbigniew Krupa: Good morning, ladies and gentlemen.

The Chair (Mr. John Fraser): Thank you very much for being here. As you may have heard, you'll have the opportunity to make a brief opening statement. Any time that you use for that statement will be taken from the

government's time for questions. There will be questions from members of all three parties today. Again, thank you very much for being here. Mr. Krupa, you may begin.

Mr. Zbigniew Krupa: My pleasure. Thank you. I apologize if I look a little tired. I got up at 5 o'clock this morning. I figured that I would make my way down here.

A little bit about my personal self: I was born in Poland and entered this great country of ours at the age of eight, in 1965. I met my wife, Luba, who also immigrated to Canada, from Russia—she's Ukrainian—and she was eight, but in 1969. I met my wife 34 years ago at a Humber College pub night. I asked her to dance, and we danced for the rest of the night. We were engaged in six months, married the following summer. We have two beautiful daughters, Christine and Caitlin. Christine is 19, going into her second year at U of T. Caitlin is 17, going into grade 12 at Blyth.

A little bit of my work history: As I said, I graduated from Humber College in 1979. I got a job interview with a company called NOR Baker in Etobicoke. I did the entrance exam, and they came back five minutes later and said, "Mr. Krupa, we've never had anyone get 100% on the test. You're hired." I didn't even know how much money I was making; I just took the job until I established my career.

Since then, I've gone through a lot of manufacturing companies—up to a \$100-million range in revenue. I mostly walk into a company and restructure operations, from the shop floor right to the front office and the financials. I also embarked on buying a company in Richmond Hill, Plasticap Inc. I had two partners there. It was about a \$16-million-revenue company. We employed about 80 people there.

My education: I've got four or five certificates. The most notable one, which I enjoy best, is from Seneca College. It's a four-year management finance program.

I do and did a lot of voluntary work. One of my partners from my company sat on the Rotary Club of Toronto. Usually, they don't want two people from the same company at the Rotary, so the joke there was that I was the longest non-member member, serving about 24 years or so. Meals on Wheels—the black-tie affairs, as you know, brought in a lot of money for us. We were pioneers of starting a lot of the current charities that are around the house, as you know. I valued my time there.

I also did some other programs with the youth employment centre. It's a mentee-mentor program where I dedicated a year in training kids trying to find their way in becoming entrepreneurs, trying to find what they like and sticking to it and making it a game plan. I also taught every one of them how to do their own taxes. I do taxes, but I do taxes more or less for people who run into trouble or can't afford somebody to do them.

I was involved with the Second Mile Club as well. I was trained to drive a Red Cross bus and I would take a lot of disabled people to their community centres so they could enjoy a day with their friends and have an outing. Obviously, I would just hang around and read my paper or whatever, and take them back.

Continuing on voluntary work: Obviously, you can tell by my name and Pani Clerk's name that I'm Polish. I sit on the Polish Canadian Air Force Association, 430 Wing (Warsaw). These are a lot of good veterans who fought in the Second World War. They actually were responsible, part and parcel with other countries, for making the food drop over Holland. I serve them and do their treasury work and anything else that they need done. I also chauffeur all the visitors from Poland, so I get to meet a lot of generals and things like that, which makes it fun.

I canvass at the Red Cross, golf tournament, raising money—various charities of that effect.

In conclusion, I have a very strong skill set in restructuring operations. I've dealt with the insurance industry from that side, both on the financial insurance side and the other insurance under RIBO. I've dealt with many agents. I've dealt with many main insurance companies, and one of the main things that I would do when I walked into a company is, "Pass me all the insurances. I want to see every one of them, as part of my restructuring plan."

Working in an industry: I came across probably 300 to 400 operations in my lifetime. I know what desperation does to people, so I have a keen eye for streamlining through various issues and getting down to the facts. Practical experience develops that. That's about it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Krupa. Ms. Malhi.

Ms. Harinder Malhi: Thank you for your presentation. That was wonderful. We can see that you're very active in the community from your presentation today. Can you highlight some of the community involvement that will help you in the committee?

Mr. Zbigniew Krupa: Absolutely. As I noted, I spent 24 years with the Toronto Rotary Club. Some of the most satisfying community work that I did is the Meals on Wheels. I would spend a day or two delivering the Meals on Wheels to people who were just not able to do for themselves.

The other one is—I know that the old-age home on Edward is no longer there, but, aging myself going back a number of years, 1981 was the first volunteering job that I took under the Rotarians. I went to Edward Street and I did their personal taxes for two days at no charge. I did that for 20 years, and I knew some of these people. I saw what the system does to them and I saw what family does to them.

Ms. Harinder Malhi: Thank you very much for sharing.

Mr. Zbigniew Krupa: You're welcome.

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The Chair (Mr. John Fraser): Thank you very much, Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. Maybe you could just bring out why you're interested in this position.

Mr. Zbigniew Krupa: With my skill set, I kind of get pulled into things. I really wasn't looking, but I never turn down an opportunity to serve the public, simply

because I'm a firm, strong believer in making sure that you give back to the community. Any time anybody asked me in the past to do something, as you can tell by my voluntary work, I did, especially for the veterans.

Mr. Jim McDonell: We see a lot of people coming into our office—insurance is a big issue. They haven't seen their insurance rates drop like it's been promised over the years. Can you see how you might deal with customers in clarifying the industry and some of the issues they have, and maybe pointing out some of the realities of it?

Mr. Zbigniew Krupa: It's a tough answer to give you. On the one side, the insurance industry cries wolf. On the other side, they have record-breaking profit. So you try and figure out what's happening in the middle. And you have the government coming in, saying, "We're going to pull back 15 points," and it doesn't happen. That puts another dimension into the issue.

I'm a very practical person, so I would sit down and gather all the facts together and I would go in and talk to some people and determine what the issues are and make some tough decisions. If the mandate was to drop it by 15 points, and you know that the insurance industry has the ability to do that, then you have to make it happen. Again, I'm not taking sides on what was said by the government or what the insurance—the insurance industry is a needed service for all of us. I understand the business model, the concept, etc., but I'm very familiar with financial statements, and there's very little you can put over on me when it comes to the dollar, so I would very quickly find out what's what.

Mr. Jim McDonell: I think you have some extensive experience in the insurance industry, but the average Ontarian would not. What would you think we need to bring the knowledge level up so people are more aware of the insurance required and some of the ways of keeping the costs reasonable?

Mr. Zbigniew Krupa: Again, I'll be a little speculative on that answer, because I'm not in the complete situation. Cost is measured in different ways. Companies measure it in standard costs, EBITDA—they have various forms of it. There are some crafty—not illegal, but crafty—ways of doing things to make it work for you. You need to understand it. So I think the answer would be that having people that had 20, 30 or 40 years of experience and knowledge around that industry, and bring to the table a lot of wide-ranging experience of the industry, would help break it down very quickly so that at least people understand what you're dealing with instead of speculation here, speculation there, and what you read in the paper, etc.

Mr. Jim McDonell: I see you have a proven track record in restructuring businesses. We have members of government here. Do you have any ideas that may help them bring their debt under control?

Mr. Zbigniew Krupa: My friend, if we had time, I could show you how to bring the manufacturing sector back to Ontario, without a word of a lie. Like I said, I visited 300 to 400 manufacturing companies over the

course of my lifetime, and the story is the same: The bank has got them under wraps. You can't go to get a lease because the bank arm is the leasing arm; you're dealing with the same person. These people have such incredible knowledge and they want to do well, but they're just put right in that corner. The last financial tool that the banks are using is called asset-based lending. That's just designed to put the company under, because the banks—and I have nothing against the banks. A lot of my good friends—but the banks, the structure itself, the way it's lined up against the industries, it's tough. It's really tough unless you've got a couple of million bucks of your own money.

The Chair (Mr. John Fraser): Ms. Thompson.

Ms. Lisa M. Thompson: I have one last question. What worries you when you look ahead in your crystal ball, given your experience with the insurance market? What are some worrisome trends that we should be watching out for?

Mr. Zbigniew Krupa: Profit.

Ms. Lisa M. Thompson: Full stop?

Mr. Zbigniew Krupa: Profit, profit, profit. They know how to bury it. They use reserves. There are 50 ways I can show you to take a clean profit from 30% down to 5%. If you don't know how they do it, then you'll assume it's 5%. Good luck getting the 15-point drop.

Ms. Lisa M. Thompson: Very good. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Thompson. Mr. Gates.

Mr. Wayne Gates: Good morning, sir.

Mr. Zbigniew Krupa: Good morning, Mr. Gates.

Mr. Wayne Gates: I'm actually pleasantly surprised with your blunt honesty, quite frankly. I've been hearing about insurance rates going down as well. It was part of a budget a couple of years ago that was done. I just got my insurance bill, and it has gone up several hundred dollars, so I'm trying to figure that out. I actually sit at Queen's Park and I can't figure out how mine is going up when I was voted in to make sure it was going down. I had to explain that to my wife. She told me I should be doing my job a little better.

I also agree with your honesty around the insurance companies. They've been getting a lot of relief over the last number of years in the form of billions of dollars. I'm not saying a few hundred million dollars; we seem to talk in billions. When I was growing up and maybe when you were growing up—I'm not sure of your age, but it's probably around mine—we thought a million dollars was incredible, right? If I ever had a million dollars, what would I do? Go buy a hockey team. Today we talk in billions, and the insurance company is one that can do that. They're making billions and billions of dollars of profit, and quite frankly, in my humble opinion, I believe it's at the expense of victims. I think it's something that we should take a serious look at to make sure that the enormous wealth that they have is getting to the people who actually need it—victims—but that's a little different than why you're here.

Manufacturing: I wish I had that answer. I was president of a major local union in my area in Niagara. It was mostly manufacturing. I actually had FirstOntario that I bargained with, but most of it was manufacturing. We know we've lost 300,000 or 400,000 jobs. If it is something to do with asset-based financing, I'm going to find out what the heck that is and take a serious look at it, so I appreciate you being honest on that.

Mr. Zbigniew Krupa: If you want, you can give me a call, sideline, and I'll educate you in five minutes or less.

Mr. Wayne Gates: I appreciate that.

The thing that also interests me, before I get into some of the possible questions that they gave me, is that you've dealt with insurance companies and agents. Maybe you can tell us what you found out, what your experience was like, particularly around the restructuring of companies. I think that's kind of where you were heading on that.

Mr. Zbigniew Krupa: I'm going to do better than that. I'm going to give you a practical, actual example of what happened to one of my tax clients.

This individual was in a car accident. He had a 2005 Cadillac with 45,000 clicks on it. The car was probably worth in the range of \$12,000 to \$20,000.

The insurance company sends him the calculation. The calculation goes like this: "Had you been driving 22,000 miles a year from 2005 to"—about 10 years—"you would have had 220,000 miles on your car. Your car would have only been worth \$3,000. But because your car is in good condition, we'll give you \$5,000." How does that little guy fight back to get his \$12,000?

The insurance company that he works with, and pays dearly for, says, "We're yanking your rental. No more fighting here. Either you take it or"—and the insurance company uses a third party so they can say, "Sorry; that's what they said." What a bunch—that's how the little guy gets punched out. I would make sure that that stuff just does not happen. It should not be there because that's borderline, if you know what I mean. That's an equation that has nothing to do with anything. It's like, "What's it got to do with the price of eggs in China?" Absolutely nothing. It's not even relevant, but that's what they shoved into him. That's what he had to take.

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Now, because he was forced to sign, he can't even go see a lawyer. It's a done deal. The insurance company, instead of spending \$12,000 to \$15,000, paid the poor guy 5,000 bucks. That happens time and time again.

I can give you example after example after example in different forms and scenarios. That's the practical stuff that happens. The little guy just says, "Well, you know what? If I take them to court it's going to cost me \$5,000 anyway, so why am I going to aggravate myself or my family?" They walk away and the big boy wins.

Mr. Wayne Gates: A "You can't fight city hall" type mentality.

Mr. Zbigniew Krupa: You can.

Mr. Wayne Gates: On that, when you did any of the restructuring, did you do any restructuring for closures? Or was it all restructuring businesses to stay—

Mr. Zbigniew Krupa: Usually, I get two kinds of calls: One would be from an American company that doesn't understand Canadian operations. They would want me to come in and restructure the Canadian operations and report all the functions to the States.

Two: The guy right in the corner banging his head against the wall saying, "I have nowhere to go. We're going to be bankrupt. Is there anything you can do for me?"

Those are the kinds of things I walk into. I usually work 14- or 16-hour days, seven days a week, to try and save their equity. By the way, I have not failed once.

Mr. Wayne Gates: That's good. I can't say the same thing. I've failed a number of times, including running for political office. I lost, I lost, I lost. It happens.

Will you need any training to participate in this council, do you think?

Mr. Zbigniew Krupa: Yes, I will.

Mr. Wayne Gates: Okay. Do you know if you'll receive it?

Mr. Zbigniew Krupa: I hope to receive it. I haven't received it as of yet. The more training, the better, because you equip me with more knowledge.

Mr. Wayne Gates: On this committee, obviously some of it deals with discipline. Are you familiar with misconduct cases that have come before the discipline committee in recent years? Have you looked up any of their cases?

Mr. Zbigniew Krupa: I didn't look up any cases but if memory serves me correctly, I've gone through a case where a broker borrowed money from a client, things of that nature, and that's not an arm's-length transaction. I know things of that nature happen a lot, especially when brokers know the wealth of the individuals. A lot of them bring in friends and they think it's okay. No, it's not okay. You're breaking the law and that's that. So things of that nature, yes, I have, but I haven't gone up and looked through all the cases.

Mr. Wayne Gates: How much time do I have?

The Chair (Mr. John Fraser): Two minutes and 35 seconds.

Mr. Wayne Gates: What experience will you bring to the role as a committee member?

Mr. Zbigniew Krupa: I have a ton of practical experience. I've been offered many jobs as a president and I've turned them all down. I'm a solid finance operational guy who gets things done. I know what I'm good at and I focus on what I'm good at.

One of the best compliments that was ever said to me was by somebody who didn't really like me but respected me. He said, "Ziggy, people will work for you no matter where you go because you have that kind of personality."

I know how to drive things. I'm extremely focused on making sure that what's happening is correct, and if changes need to be made, I execute extremely fast and well.

Mr. Wayne Gates: Well, Ziggy, I'm going to say something that I think I picked up here just because of the way this game is played. I think you're a pretty

honest guy, too, which is certainly a trait that everybody should follow.

I want to finish by saying something that's kind of interesting, quite frankly. You came to Canada. You met your sweetheart at a dance and stuff. You've been able to find out and be successful in life by coming to a different country, living here, buying a house, raising a family and sending them to school. That's really what Canada and Ontario are all about at the end of the day.

Mr. Zbigniew Krupa: Absolutely.

Mr. Wayne Gates: It's always nice to hear those types of stories on being successful in life but also on coming to this great country and province and being able to raise your family and being very, very successful.

Mr. Zbigniew Krupa: I'll share a tidbit with you: I had just bought a car before I met my wife. I had a \$2,000 loan. She had \$2,000 in the bank and paid off the loan. That was it.

Mr. Wayne Gates: That was it. It's interesting because it's a story that's told over and over again right across the province and the country, about people who come to this country.

Mr. Zbigniew Krupa: This is the best country in the world. I go to the States, and after seven days I want to go home. Actually, my good friend Kimmer Campbell knew that I would be taking on work because I have another assignment that I have to do so he took me through the Cabot Trail for 12 days. If you've not been, that's probably some of the best country we have in Canada. It's just totally amazing—the fishing villages, lobster for five bucks a pound. In one sitting I think I ate 48 oysters. So you've got to go if you haven't been. The Cabot Trail is just an amazing time.

Mr. Wayne Gates: I've been there. I know what you're talking about.

The Chair (Mr. John Fraser): Thank you, Mr. Krupa, for presenting to us today and answering our questions. This concludes the time for the interview. We'll be considering the concurrences for appointees at the end of the day. I want to thank you very much. You may step down.

Mr. Zbigniew Krupa: Thank you for having me.

MS. KATIE OSBORNE

Review of intended appointment, selected by official opposition party: Katie Osborne, intended appointee as vice-chair and member, Fire Safety Commission; member, Animal Care Review Board; member, Licence Appeal Tribunal; member, Ontario Civilian Police Commission; and member, Ontario Parole Board.

The Chair (Mr. John Fraser): Our next intended appointee is Katie Osborne, nominated as vice-chair and member, Fire Safety Commission; and member, Animal Care Review Board, Licence Appeal Tribunal, Ontario Civilian Police Commission and Ontario Parole Board.

Ms. Osborne, can you please come forward? Thank you very much for being here today. As you may have heard, you'll have the opportunity to make a brief

opening statement. Any time that you use will be taken from the government's time for questions. You'll be asked questions by members of all three parties today. Again, thank you for being here. You may begin.

Ms. Katie Osborne: Thank you. Good morning, Mr. Chairman and honourable members of the committee. Thank you for allowing me to appear before you today.

My name is Katie Osborne. I am a lawyer and an experienced adjudicator. My legal practice has focused primarily on health care and administrative law, including roles as tribunal counsel.

Before I started in private practice, I held a number of policy, planning and regulatory positions with a multinational pharmaceutical company and worked for both the Ontario and British Columbia Ministries of Health.

I previously served as a part-time vice-chair of the Health Services Appeal and Review Board and as a member of the Ontario Hepatitis C Assistance Plan Review Committee.

The skills and experience that I acquired as an adjudicator and as legal counsel, particularly tribunal counsel, position me well for the appointment to the SLASTO tribunals. I have years of experience interpreting legislation, conducting pre-hearing conferences, applying alternative dispute resolution practices and procedures, presiding at hearings and motions, drafting orders, writing decisions, and mentoring and training members and staff.

I have specific experience and knowledge of many of the legal issues and subject matter dealt with by the Fire Safety Commission and other SLASTO tribunals.

I place great importance on plain-language communication and write decisions that are legally sound, clear and concise. I've played a leadership role in various process improvement and educational and dispute resolution initiatives for tribunals. I have facilitated hundreds of pre-hearing or case conferences. In many cases, these matters were successfully resolved without resort to hearing as a result of the case conferences. In cases that did go forward to hearing, through the case conferences I was able to educate the parties—generally unrepresented—about critical matters, reduce and simplify the issues in dispute and assist in case management, all things that result in a hearing process that is more timely, fair, focused and effective.

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I have considerable experience dealing with unrepresented parties and individuals who face other challenges, including language barriers, disabilities and other issues.

I have experience dealing with highly sensitive matters and matters that have attracted media attention. I have been actively involved in many cases that raise significant issues, including issues of public protection, restrictions on personal freedoms, eligibility for and access to critical services, the right to hold business licences and the right to practise one's profession. I understand the critical importance of the various interests at stake in such cases.

Finally, I'm actively involved in the community. I'm an officer and member of the board of directors and chair

of the governance committee for Save a Child's Heart Foundation of Canada and I volunteer for the Friends of Simon Wiesenthal Center and Special Olympics Ontario.

I thank you for your time today and I look forward to answering any questions you might have.

The Chair (Mr. John Fraser): Thank you very much, Ms. Osborne. Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. Maybe you could just expand on what motivated you to apply to this position.

Ms. Katie Osborne: Certainly. As I mentioned, I've been a tribunal member before, as an adjudicator and in other roles that you have as a tribunal member. While I left that to focus, for a number of years, more on my legal practice, I always missed the work.

The short answer is, I enjoy the work. I find it rewarding and interesting, and that's really the primary motivation.

Mr. Jim McDonell: I see in your information that you applied for the one position, but a number of them have been added. Do you feel comfortable with that?

Ms. Katie Osborne: I'm very comfortable with it. In the tribunals that have been clustered, I know there is often cross-appointment and there are opportunities to achieve efficiencies in scheduling, rolling out various initiatives and best practices, and it's sometimes easier for training. I don't profess to be an expert in each of the areas that are within the jurisdiction of each of the tribunals, but I do have some experience and working knowledge in most, if not all, of those areas.

Mr. Jim McDonell: In the information that you provided, you talk about working with unrepresented parties. One of the issues that I think we have is that a lot of the people who are pulled before these boards are people with a lack of resources, time frames are short—there's no time—they can't afford legal counsel or there's very little time to get these things together.

Maybe you could relate on working with some of these groups and these people and maybe talk about how we could enhance the system so that this is more the norm than having to get legal counsel for some of these arbitrations.

Ms. Katie Osborne: The issue of dealing with unrepresented parties is an important one, and certainly in the tribunals that I was a member of, the vast majority of people were unrepresented. My understanding is that a great many of the parties who appear before these tribunals are also unrepresented.

There are a number of things that you can do to assist them. One, at a basic level, is to ensure communications at all levels are clear. Use plain language when conducting a hearing or a pre-hearing process. Make sure you use a simple word as opposed to a four-syllable word that achieves nothing more.

So plain-language communication in oral communications with the parties and in writing decisions—you shouldn't need a law degree or a PhD to understand a decision; it should be something that's readable by your next-door neighbour or someone with a grade 9 education. It should be accessible to all.

I also think that the pre-hearing conference and case conference process that I mentioned is really critical. It's particularly critical for unrepresented parties. If parties have legal counsel, that kind of process is often used to deal with case management matters. You might simplify some issues, but often it deals with more routine matters like scheduling.

When I conduct case conferences with unrepresented parties, it's a huge opportunity for education. Education about the board's mandate, education about the specific legal issues in dispute: Often people have a view of the issues that's different from what the tribunal will really be deciding at a hearing.

Those kinds of things are really important. When you're able to take that time with an unrepresented party in advance of the hearing, they're better equipped to represent themselves.

The Chair (Mr. John Fraser): Ms. Thompson.

Ms. Lisa M. Thompson: You mentioned you have working knowledge of the various boards and tribunals that fall under the SLASTO. With regard to the Animal Care Review Board, what do you feel their priorities are, or what are the trending issues that may need to be addressed?

Ms. Katie Osborne: I'm not a member of the board now, so I certainly can't speak to their biggest issues.

Many of these cases—the board does have jurisdiction to hear other matters, but often they're appealing orders for removal of animals, to take various steps to treat animals and so on.

I think, going back to the issue—I talked about problem-solving and dispute resolution. I think this is a real challenge. I think there is a real opportunity with this board to perhaps resolve a great many more of these cases without resort to a formal hearing, and often, having that kind of conversation in a case conference, a pre-hearing conference, can achieve that.

Ms. Lisa M. Thompson: Okay, very good. In that regard, I'd just like to put out a good word for the Ontario farm and food council. In terms of the work on the Animal Care Review Board, I think there needs to be a balanced approach. It's very important to utilize Farm and Food Care Ontario as well.

My second question is around the Fire Safety Commission. I'm just curious: What's your understanding of the priority around the Fire Safety Commission?

Ms. Katie Osborne: Again, I can't speak to institutional priorities. Certainly, ultimately, the priority of that tribunal and many of these others is public protection.

Ms. Lisa M. Thompson: Okay. Public protection: I encourage you to pursue that, because just this past week, I had a meeting with a company that's concerned about labour safety, workplace safety, public safety with regard to the lack of fire safety involved with industrial wind turbines, particularly in nacelles. They have a little, tiny fire extinguisher. At the end of the day, that's not enough with an industrial wind turbine. That's something I'm certainly going to be pursuing, and I invite you to keep that under consideration when you take a look at the

public safety component of the Fire Safety Commission. Thank you.

Ms. Katie Osborne: Thank you.

The Chair (Mr. John Fraser): Thank you very much.

Mr. Gates.

Mr. Wayne Gates: So you got those out, so that's good. There you go.

Ms. Lisa M. Thompson: I did. Thank you very much.

Mr. Wayne Gates: Good morning. How are you?

Ms. Katie Osborne: I'm fine, thanks, Mr. Gates.

Mr. Wayne Gates: Before I really get into some of the questions, the unrepresented is probably an issue that I'm extremely interested in, because the costs, and not enough legal aid lawyers, or lawyers getting involved with legal aid, are becoming more and more of a challenge. As a lawyer, would you agree or disagree with that?

Ms. Katie Osborne: I totally agree. It's an issue I'm very interested in. I think it's actually increasingly important, as some of these regulatory regimes become increasingly complex.

Mr. Wayne Gates: How do we get more lawyers—as a lawyer—to get involved with legal aid, to make these types of clusters work better?

Ms. Katie Osborne: That's a question I can't answer. I think it's important to get more lawyers involved, but I think there are a whole host of incentives that need to be in place, and also institutional changes in terms of the way the whole legal aid scheme is set up. Certainly, those matters are beyond my purview, but I do think it's extremely important and it's something I take really seriously as an adjudicator tribunal member.

Mr. Wayne Gates: Because I'm finding, on a lot of the issues—ODSP; it doesn't matter what they are—they're being cut off. We end up in appeals, and they can't get to the legal aid lawyer.

I know it's a little off-subject, but because you are a lawyer, I think it's important for somebody like yourself, who can talk on this issue. We had people here yesterday, and the importance—because it flows down to different boards, different agencies. When you talk about people who are unrepresented, usually there's a problem, and the problem usually is finances. They can't afford a lawyer, and it puts that person—no matter how good you think you are as a lawyer, you're not. When you have to represent yourself, there are problems. When I took a look at your pre-hearings, and mediation, which you talked about, these are things that we should be doing more of to free up the appeal processes and make them go quicker. Are you in agreement with that? I see that you say that pre-hearings get resolved. Maybe you would like to elaborate on that, because I think that's a very important point here on all these types of boards that would make the clusters work better.

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Ms. Katie Osborne: First, I am in agreement. I think that it's vitally important, and if you don't do it, it's a huge missed opportunity if you don't take advantage of

some of those. Pre-hearing conferences aren't the only way, but they are quite an effective way. They don't have to be resource-intensive. Many of the ones that I've facilitated were done by telephone. They don't have to be lengthy. Telephone case conferences help accommodate people who may be at a great distance or physically unable to travel.

In terms of resolution, it happens in different ways. Sometimes it can be a case where the appellant or applicant gets a better understanding of the process. In some cases, they may come to the conclusion that their issues are really outside of what the board or tribunal can do and that they could not be successful. They would decide not to pursue the case further. In that case, you are eliminating from the system a case that couldn't possibly be successful—no prospect of success, not even a reasonable prospect of success.

In other cases, the parties are actually able to come to some agreement. While I'm not a member of the Fire Safety Commission, I have dealt with the public protection aspect with other tribunals. The Health Services Appeal and Review Board hears appeals under the Health Protection and Promotion Act and also issues similar sorts of orders in some cases against individuals, sometimes in relation to unsafe buildings and so on. Sometimes the parties can come to an agreement on what will be done by what date, something that really may reflect the interests of both parties better than the paper order that the applicant received that led to the appeal. Sometimes there is an agreement that certain steps will be taken and things will be done. The public protection goal is achieved, and the interests of and the practicalities faced by a business owner or property owner would be respected. Those matters would go away without resort to hearing. But there are many, many examples of how cases can be resolved without resort to hearing.

Mr. Wayne Gates: The other part of that, which you never mentioned, is the savings in cost. The whole process is a cost, and I think that it's important when you can say, "Okay, how do we save?", because we're always fighting for every penny. I think you realize that.

If you do a pre-hearing, there's a cost. If you follow through the entire process and go right to the final straw, are we talking about a couple of hundred dollars? Are we talking about thousands? What type of savings could there be, if we can direct more people into being educated on the importance of mediation or a pre-hearing?

Ms. Katie Osborne: You're absolutely right. There are significant cost savings when matters are resolved without resort to hearing. There's even a cost saving when matters are simplified and the issues are reduced. I can't speak to the specific numbers, because that can vary a lot: Have you resolved a matter that was going to be a one-hour hearing or a 10-day hearing? I've been involved in cases that may have gone on for two or three weeks of hearing time. Obviously, if that case resolves, it results in greater cost savings. But I think that, generally speaking, we wouldn't be talking about hundreds of dollars; we'd be talking about thousands.

Mr. Wayne Gates: I think that's an important issue. I still haven't got to your board appointment, because I'm kind of fascinated about some of the stuff that you've done as a lawyer. I understand that you'll do a fine job on the cluster. I don't think that's really going to be an issue here.

Something that I would like to hear more about is that you've gotten me interested that you were involved in the Ministry of Health and you were a health care lawyer. I would just like to understand a little further: What did you do as a health care lawyer and what were you representing in that particular file?

Ms. Katie Osborne: First, going back to my work with the Ontario Ministry of Health—it was many years ago—I actually worked for the Ministry of the Attorney General, but in the legal services branch of the Ministry of Health. That's where I articulated.

In terms of my work as a health law lawyer, it can mean different things. I would say that the bulk of my work has been for government and government agencies, particularly tribunals—so administrative law. But we have done work in the past for other government agencies that needed either legal or regulatory work; sometimes health reform projects and so on. I've done a lot of work in relation to appeals under the Health Insurance Act and under the Health Protection and Promotion Act. I worked for the Health Professions Appeal and Review Board relating to registration complaint matters with all of the colleges of the regulated health professions.

I hope that answers your question.

Mr. Wayne Gates: It's interesting because you talk about how you took cases that even had media attention.

Ms. Katie Osborne: Yes.

Mr. Wayne Gates: Can you give us an example, or is there confidentiality around those?

Ms. Katie Osborne: I always have to respect solicitor-client privilege and confidentiality, but certainly with cases that have been reported in the media, without even going into specific names, there have been a great many cases of the Health Services Appeal and Review Board that have received media attention. It's typically when someone has applied to OHIP for payment of the costs of out-of-country treatment, either in cases where it's not available here or there's a delay in obtaining treatment.

The Health Services Appeal and Review Board hears those appeals and has the ability to order OHIP to pay for the costs of the out-of-country treatment. A number of those cases have received media attention. In particular, they often involve very, very compelling, sensitive-facts situations. It's a tribunal like many others. They're real people. In the case of that tribunal, they're sick. Sometimes they are fighting for their lives. So that would be an example.

There have been a number of others under the Health Protection and Promotion Act, but I'd say that's where the bulk of them reside.

Mr. Wayne Gates: And they are interesting cases.

Ms. Katie Osborne: They're hugely interesting and have enormous personal consequences for the people involved.

Mr. Wayne Gates: In dollars and cents, just as a follow-up to that, because we all heard about it, we don't even have to go out of the country; we had an issue from province to province up in Sudbury a few weeks ago. It's kind of interesting. It makes interesting work.

I'll get back to some of the questions on this because I know my good friend at the front there, the Chair, will tell me I don't have much time left.

The Chair (Mr. John Fraser): Actually, you've got eight seconds.

Mr. Wayne Gates: My pleasure.

Ms. Katie Osborne: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. Hoggarth.

Ms. Ann Hoggarth: Thank you, Chair. Thank you very much, Ms. Osborne, for your presentation. I can tell by the way you speak that you are a very capable candidate. I also looked at the position requirements. There are three of them, and from what I've seen and heard, you check the box in all three of them.

Your background, as another MPP has said, is in health law and policy, including being the vice-chair of the Health Services Appeal and Review Board. Could you tell us why you believe you are a good fit for the SLASTO cluster, please?

Ms. Katie Osborne: Speaking first to broad-based skills and qualities, I'm neutral, objective and fair, which are fundamental to an adjudicator. I have the expertise in administrative law and adjudication and all that goes along with that, including statutory interpretation—because at the end of the day, any adjudicator is applying the legislation at issue.

I know there is a move to try to take advantage of problem-solving and alternative dispute resolution, and I bring a very strong background in that. I hope I can play a role in future efforts to bring more of that to the SLASTO tribunal.

I have excellent decision-writing skills, and this is important. I've been a member on tribunals before. There were many good members. They bring different things to the table. But at the end of the day, you have to have people who can write. When we look at things like decision backlogs, you need strong writers to get the decisions out. You can't just hear a case. And you want people who can write in plain language and give the parties and other interested individuals a decision that they can understand.

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Finally, I do bring some knowledge of the cluster. As I said, I'm not expert in each of the subject areas, but I wouldn't be walking in cold.

Ms. Ann Hoggarth: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Ms. Osborne. That concludes the time for the interview today. I want to thank you very much for being here and presenting to us and answering our questions.

We'll consider the concurrences for appointments at the end of the day. Again, thank you very much. You may step down.

Ms. Katie Osborne: It was a pleasure. Thank you very much, everyone.

MS. MIRANDA PAQUETTE

Review of intended appointment, selected by official opposition party: Miranda Paquette, intended appointee as member, Council of the Association of Ontario Land Surveyors.

The Chair (Mr. John Fraser): Our next intended appointee is Miranda Paquette, nominated as member, Council of the Association of Ontario Land Surveyors. Ms. Paquette, can you please come forward?

Bonjour. Thank you for being here today.

M^{me} Miranda Paquette: Merci.

The Chair (Mr. John Fraser): As you may have heard, you will have time for a brief opening statement. Any time that you use shall be taken from the government's time to ask you questions. You'll be asked questions by members of all three parties today.

I want to thank you again for being here. You may begin.

Ms. Miranda Paquette: Thank you for having me. I'm just going to read my statement because I'm a bit nervous.

The Chair (Mr. John Fraser): Be comfortable.

Ms. Miranda Paquette: Thank you for having me. I appreciate the privilege of being asked to appear before this committee. I'm honoured to be considered for membership on the council of the Association of Ontario Land Surveyors. I see the work they do as fundamental to the workings of society, and I see the council as having both a right to champion the profession, but also a responsibility to ensure compliance with the act.

My strengths are with the second aspect of this role. I'm a professional compliance officer. My experience working with a variety of regulators, both in the federal sphere and the provincial sphere, should help me provide sound advice to the council with the council.

The Association of Ontario Land Surveyors has set out goals related to compliance, so I'm hoping that my experience in writing policy and investigating complaints and advising on enforcement actions should help them meet their goals.

That's my opening statement. Thank you.

The Chair (Mr. John Fraser): Thank you very much. Mr. Gates.

Mr. Wayne Gates: Good morning. How are you?

Ms. Miranda Paquette: A bit nervous.

Mr. Wayne Gates: You're nervous?

Ms. Miranda Paquette: Yes.

Mr. Wayne Gates: Why?

Ms. Miranda Paquette: Because I've never appeared before a committee.

Mr. Wayne Gates: Really? It's kind of interesting. I was nervous the first time I came too. Now it's just relax and enjoy.

What do you do for a living now?

Ms. Miranda Paquette: I just changed jobs in May. The document you have says that I'm a compliance officer for Canada Post. I left in May and I've joined the family firm, so I'm now running operations for my husband's architectural firm.

Mr. Wayne Gates: Oh, okay. That's too bad, because I spent 10 minutes last night doing questions on Canada Post.

Ms. Miranda Paquette: I would be happy to answer questions about Canada Post, or at least my role there.

Mr. Wayne Gates: There are certainly lots of issues around Canada Post.

Ms. Miranda Paquette: You know, I've heard.

Mr. Wayne Gates: What's really motivated you—you talked a little bit about it; maybe you could expand on it, because you obviously know what you're talking about—to seek the appointment?

Ms. Miranda Paquette: I've heard a bunch of stories about how people get recommended for these appointments. They get phone calls from people and that kind of thing. I was actually with my husband. He's the president of the Ontario architects' association; they have meetings and the wives have to appear. Often there's an out-group at those meetings where it's the wives, and oddly enough, the LGICs tend to hang out with that group because they're not architects. I was talking to them, and they said that you can just apply. So I applied, because I really want to provide a public service. I want to have some part of my life that's a public service, and I think this is a really good way of doing it.

Mr. Wayne Gates: That's very good.

Ms. Miranda Paquette: Thanks.

Mr. Wayne Gates: What experience do you believe you bring in a role for a council member? Why do you think that you would certainly help, being a member?

Ms. Miranda Paquette: I have a lot of experience in compliance. The goals that the land surveyors have for the next few years—a lot of them are about compliance with continuing education and something I didn't really understand, but it was the markers. Apparently they're having trouble maintaining the markers. These all seem like very legislative necessities, and that's something I'm good at. I'm very good at giving advice on law, usually to my employer, but the council would be, I guess, kind of my employer. So we'd be part of the team working towards compliance. That's what I do really well.

Mr. Wayne Gates: Sometimes compliances are tough to follow if they're not understood.

Ms. Miranda Paquette: Not understood—a huge part is being able to translate law. That's the role of the compliance officer. Legal tends to interpret law for the business; compliance interprets it for the users.

Mr. Wayne Gates: What challenges do you see?

Ms. Miranda Paquette: For the land surveyors, they seem to have a serious demographic challenge, which a

lot of associations have right now. I mentioned the survey monuments—that seems to be a challenge—and then their continuing education roles.

The one about continuing education is probably the one I can help with best. I did manage registrations and compliance for provincial financial institutions, so maintaining the registrations for financial advisers and things like that. So I'm familiar with that.

Mr. Wayne Gates: Okay. That's all I have. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. Hoggarth?

Ms. Ann Hoggarth: Good morning. Thank you for your presentation. I fully understand why you feel a little nervous. As you are speaking, it doesn't sound that way. Once you realize that this is very informal—we thank you very much for putting your name forward.

Ms. Miranda Paquette: Thank you.

Ms. Ann Hoggarth: I particularly enjoyed the reason that you said you wanted to do it. That's why people should get involved in public service.

The requirements of the position say, "Lay members should have the ability to recognize infringements on the public interest by policies under discussion at council meetings. No person shall be appointed ... unless he or she is a Canadian citizen."

From what you said, you tick all those boxes as a position requirement. I thank you very much for putting your name forward. Bonne chance.

M^{me} Miranda Paquette: Merci.

The Chair (Mr. John Fraser): Thank you very much, Ms. Hoggarth. Mr. McDonell?

Mr. Jim McDonell: Yes, thank you for coming out today. I see you applied for 26 different agencies.

Ms. Miranda Paquette: I did.

Mr. Jim McDonell: Is there a kind of theme behind the ones you chose or what you're looking for?

Ms. Miranda Paquette: Well, not my husband's.

Not really; just stuff that interested me. I don't actually know when I applied but I think it was like five years ago. At the time—that was two jobs ago—I was a compliance officer for a lot of different financial institutions, but they were subsidiaries of the Canadian Medical Association. One of the beauties of working for a for-profit company under a not-for-profit is that you get both sides; you get the real advocacy part but you also get the "We need to make money" part. It was neat, but what that led me to was just that I wanted to help. I don't know who I want to help and I don't know who needs help, so I thought, "I'll do a broad spectrum of things that I'm interested in and hope for the best."

Mr. Jim McDonell: Sure. The council is tasked with maintaining the education standards of the association. What do you think you could bring in to that function?

Ms. Miranda Paquette: I have continuing education standards that I have to meet for my certification as a privacy professional, but also I know a lot about architectural requirements for continuing education, as you can well imagine. I know a lot about continuing educa-

tion in the financial industry given how heavily regulated they are in insurance and advice and all of that.

I've worked with IIROC, FSCO and AMF on the Quebec side, so I get continuing education. I get why it's required and why it can be a challenge for people to do. I think probably what I bring best is a deep understanding of the necessity and the importance of maintaining skills.

Mr. Jim McDonell: We also see that enrolment is declining in the association. Any ideas how you might reverse that?

Ms. Miranda Paquette: I don't really know enough about it to give an opinion. I don't want to give ill-informed advice to anyone, because that's just generally a bad idea.

One of the things I found really interesting is, for those of you who are from Ottawa, I actually live very near La Cité collégiale. It's a community college. I live right near there.

Interjection.

Ms. Miranda Paquette: Yes, I live right near there. They're always surveying the street I live on—every day—because there's a school there. Apparently, those people can't be licensed. I thought, "That's really interesting." I read somewhere that there are only two schools in Ontario where you can actually be licensed to be a surveyor. I thought, "Maybe that's a gap that we can find a way to close." It's horrible advice right now because I really don't know enough about the background, but to me it seems like there are a lot of people who want to play with those very cool tools who aren't being given the chance to be licensed. I think there might be a gap there we can close.

Mr. Jim McDonell: Okay. Any questions?

The Chair (Mr. John Fraser): Ms. Thompson?

Ms. Lisa M. Thompson: I'm taken by your commitment and interest in giving back, in terms of public service. I thank you for that. Just from your own personal perspective, what do you think holds people back from doing that? Because we don't have enough of you, long story short. As legislators, what could we be doing differently to advocate and encourage more people to get involved, like you've done?

Ms. Miranda Paquette: For the LGIC position itself, nobody knows about it. I've told people I'm coming here today. People who live in Toronto, work in Toronto, I'm going to lunch and they're like, "And what is that exactly?"

I got to meet the Lieutenant Governor last April. Oh, my gosh, such a lovely woman. She's really trying to advocate for the position and that kind of thing, but maybe we need to do more about telling people about these very cool roles. It's just neat. You get to learn something completely different outside of your world but you also get to help, right? Lots of people want to help but if you don't know it's there, how do you know to apply?

Ms. Lisa M. Thompson: Fair enough.

Ms. Miranda Paquette: I applied five years ago. By the time they called me—not last January but the January before—I honestly had kind of forgotten.

Ms. Lisa M. Thompson: You applied for this approximately five years ago—

Ms. Miranda Paquette: I think so, yes.

Ms. Lisa M. Thompson: —and you only got a phone call. So the position that you've applied for has been vacant for that amount of time?

Ms. Miranda Paquette: Oh, I have no idea. No clue.

Ms. Lisa M. Thompson: Okay. That's something to take a look at.

Ms. Miranda Paquette: Yes, I don't know.

Ms. Lisa M. Thompson: Interesting. Thank you for sticking with it.

Ms. Miranda Paquette: My pleasure.

Ms. Lisa M. Thompson: Yes, it's been a pleasure meeting you.

Ms. Miranda Paquette: Thank you.

The Chair (Mr. John Fraser): Thank you very much for being here today and presenting to us, answering all of our questions, and being very enthusiastic, too, I have to add. It's really great to get that just before lunch. I really want to thank you for being here today and putting your name forward.

Ms. Miranda Paquette: Thank you very much.

The Chair (Mr. John Fraser): It's very much appreciated. We'll consider the concurrences for all the appointments at the end of the day.

Ms. Miranda Paquette: Okay.

The Chair (Mr. John Fraser): That concludes the time for our interview. You may step down.

Ms. Miranda Paquette: Thank you very much, everyone. It was fun.

The Chair (Mr. John Fraser): We're going to go to recess.

The committee recessed from 1133 to 1303.

The Chair (Mr. John Fraser): I call the meeting back to order. We hope everybody enjoyed their lunch.

MS. WENDY LAWRENCE

Review of intended appointment, selected by official opposition party: Wendy Lawrence, intended appointee as member, Council of the College of Chiropractors of Ontario.

The Chair (Mr. John Fraser): Our first intended appointee is Wendy Lawrence, nominated as member, Council of the College of Chiropractors of Ontario. Ms. Lawrence, can you please come forward.

Thank you very much for being here today. You'll have the opportunity to make a brief opening statement. Any time that you use for your statement will be taken from the government's time to ask you questions. You will be asked questions by members of all three parties today.

Again, I thank you very much for being here and you may proceed.

Ms. Wendy Lawrence: Great. Thanks. Let me begin by giving you some background on my qualifications and experience. I'm a lawyer. I was called to the bar in 2005. I attended law school at the University of Windsor and I

obtained my undergraduate degree in economics from Queen's University.

For me, when I decided what area of law to practise in, I was always interested in the area of law that involved public interest. Accordingly, I began my career as a lawyer at the Ministry of the Attorney General. In this role, I provided advice to various ministries on legislation and statutes.

Also during this time, I specialized in freedom-of-information and privacy law. It was this aspect of my work that made me appreciate the importance of privacy and safeguarding sensitive information as well as the responsibilities of public organizations in terms of accountability and transparency.

I then went on to practise as an in-house lawyer in the health care industry. I was in-house counsel at Mount Sinai Hospital for a number of years, and currently I am in-house counsel at the Hospital for Sick Children. In my role, I advise the hospital on issues such as consent to treatment, quality of care and privacy. I also advise on regulatory health professional issues as there are a number of regulatory health professionals who work for our hospital. Part of my role involves monitoring regulatory developments in the health care industry and communicating those to the members of the hospital.

I'm interested in serving on the Council of the College of Chiropractors for a number of reasons. For one, I'm interested in applying my knowledge of health care and the regulatory framework that governs health care providers in a way that lets me serve the public interest. I think that health care professionals play a really important role in society. It continues to be a challenging role, particularly for health care professionals as their scope of practice is reviewed in terms of us being able to provide access to health care in a timely and accessible way while still ensuring patient safety.

Secondly, I am looking forward to contributing to governance—I'm really interested in the area of governance—in particular to a college that governs health care professionals. Through my community experience, I'm on the board for the Association of Corporate Counsel and for the Health Law in Canada journal.

In addition, I've also had the opportunity to witness some really great boards, both at Mount Sinai Hospital and the Hospital for Sick Children. I've been able to witness the good qualities of a good board and what great boards can achieve, and I look forward to being able to contribute that on the council. Thank you.

The Chair (Mr. John Fraser): Thank you very much. The questioning begins with the government side: Ms. Hoggarth.

Ms. Ann Hoggarth: Good afternoon. Thank you for your presentation and for putting your name forward for this position. I would like to ask you, what is your understanding of the role that you will be filling on the council?

Ms. Wendy Lawrence: In preparing for today's appearance, I did review the Chiropractic Act and the bylaws at the council. I understand the college to be a

self-governing body and the council provides oversight for the college.

In addition, the council has the role of ensuring that the college has standards of practice in place, standards of qualification and standards for professional ethics. As well, the council monitors development in the industry and the environment to ensure that its members have programs and standards in place to help them respond to those changes.

Ms. Ann Hoggarth: Okay. Just further to that, are you comfortable with revoking a licence if need be?

Ms. Wendy Lawrence: Absolutely.

Ms. Ann Hoggarth: Thank you.

The Chair (Mr. John Fraser): Ms. McGarry?

Mrs. Kathryn McGarry: Thank you very much for your presentation. I'm still a nurse in the province of Ontario, so I have worked both at SickKids and Mount Sinai Hospital. I would have to agree with you that they are very well-run institutions.

As a health care professional, I just had a question regarding the role that you would be playing in terms of looking at colleges and being able to administer the guidelines to members. In particular, if there are issues regarding registration of that health care professional—in particular, the chiropractors—with that college, what experience would you be able to bring to that role to be able to deal with that kind of a situation?

Ms. Wendy Lawrence: I think, very similar to the role colleges have in terms of admitting and registering members, hospitals do have that with privileging physicians. Certainly, in both the hospitals I've worked at, I've been involved in setting standards and working with other organizations to set common standards for privileges, and then in monitoring and advising on the registration and annual renewal process for those privileges.

Mrs. Kathryn McGarry: Do you work fairly closely with those who are doing the credentialing from the medical affairs director?

Ms. Wendy Lawrence: Yes, I've had experience with medical affairs and in developing the credentialing programs.

Mrs. Kathryn McGarry: Okay, so you're fairly comfortable with looking at that avenue.

Ms. Wendy Lawrence: Yes.

Mrs. Kathryn McGarry: I appreciate your presentation today. Thank you.

The Chair (Mr. John Fraser): Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. Could you just tell us what motivated you to apply to this council?

Ms. Wendy Lawrence: Sure. I'm definitely very passionate about health care. In particular, this gave me the opportunity to be involved in the community but at the same time apply my knowledge of health care and health law in a way that protects the health and well-being of Ontarians. I think, in terms of accessing health professionals, when Ontarians go to seek a health care provider such as a chiropractor, they want to be assured that they're getting quality services and that they can

have all the information they need to make a decision in choosing a health care provider.

Mr. Jim McDonell: Your resumé lists being lead counsel regarding privacy and freedom with the Hospital for Sick Children. Could you comment on your experience dealing with freedom-of-information requests and the procedures and standards in place to make sure of transparency?

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Ms. Wendy Lawrence: Absolutely. I think that the hospital sector has been under the freedom-of-information legislation since 2011. What's interesting, when the legislation came about, is that most hospitals—at least, the two that I worked at—actually were very much in favour of proactive disclosure. At both SickKids and Mount Sinai Hospital, I've been part of efforts to make the organizations proactively transparent; for example, initiatives such as ensuring that board minutes are made available to the public on the Internet and that important documents such as strategic plans or financial statements are available to the public. I'm definitely in support of that and in support of the initiatives that colleges such as the College of Chiropractors have taken in this direction.

Mr. Jim McDonell: How did the hospital boards feel about the changes in 2011, as far as being open to freedom of information?

Ms. Wendy Lawrence: I think that they weren't sure what to expect, because the other organizations under the freedom-of-information legislation are government organizations. But they wanted to be ahead of the legislation, and they were very in favour of being transparent.

Mr. Jim McDonell: Sure. Any comment on some of the committees within the organization that you would want to belong to or contribute to?

Ms. Wendy Lawrence: The quality assurance committee is something that I would be very interested in.

Mr. Jim McDonell: Okay. So you've worked within the system for some time. How do you perceive the role of chiropractors in the health care system?

Ms. Wendy Lawrence: I think that health care professionals such as chiropractors and other non-physician and non-hospital organizations are going to have a greater role, because I think that the goal is for Ontarians to be able to quickly and accessibly access health care. Sometimes that's in the form of a doctor or a hospital, or sometimes that's community care and clinics such as chiropractors. So I see the role of chiropractors growing, actually.

Ms. Lisa M. Thompson: Very good. How did you hear about this opportunity?

Ms. Wendy Lawrence: On the website for the Public Appointments Secretariat.

Ms. Lisa M. Thompson: The website. Okay, I'm going to ask a couple more questions, because we heard earlier today from other candidates looking for an opportunity to serve the public in Ontario that they were either asked to consider the position or—another person said that these opportunities are well-kept secrets. Did

someone direct you to it or, given the nature of the position you currently have, were you aware of it?

Ms. Wendy Lawrence: I think that as a former Ministry of the Attorney General lawyer, I always knew about the website and the postings.

Ms. Lisa M. Thompson: Ah, there you go. Okay. Because I made note of the fact that we need to take a look at process and talk a bit more about what opportunities there are to serve the public, and hopefully, we fill them in a timely fashion.

I would also like to know a little bit, going back to what you could bring to the board that you're applying to—given your experience and looking ahead to the future, what are some hurdles you may see for the chiropractic practice that you may want to address at the board level, or other opportunities? What are some hurdles that may be coming down the pipeline that you might anticipate, that the board needs to address? Conversely, what are the opportunities?

Ms. Wendy Lawrence: I think that this can be both a challenge and an opportunity, just keeping up with best practices. There are a number of regulatory colleges governing various professionals. I think that the chiropractic college is going to want to be consistent. They're not going to be wanting to have members of the public go to their website or their member directory and see less information than they would for an ophthalmologist, for example.

I think that keeping up with best practices in the industry for other health professionals, and also helping Ontarians make informed decisions when they want to seek a health care provider—because I think that the public expectation is not only to find a member directory with a list of clinics and addresses. They want to find more information; for example, has the member been disciplined? How many years have they been practising for?

Ms. Lisa M. Thompson: Okay. I appreciate that. The other thing is, do you see a growing demand for chiropractic services?

Ms. Wendy Lawrence: Yes, absolutely. I think that there's going to be a growing demand for lots of non-physician and hospital-centric services, which I am familiar with, in terms of just being able to access a variety of health care services, especially with an aging population.

Ms. Lisa M. Thompson: That's interesting, because a number of folks that I know had to go down to the States, particularly to Chicago, to earn their doctorate. I'm just wondering, do you see an opportunity or do you see a need for Ontario to take a look at increasing opportunities for education right here, at home, in Ontario? A couple of weeks ago, we heard about the province cutting back on 50 residency positions. So I'm just wondering—you say there's a growing trend, especially with an aging population. How do we make sure that we're keeping people at home, educating them at home, so that we can serve the people here at home?

Ms. Wendy Lawrence: Yes. I think an important role for the college is just monitoring trends, so if there are

increasing demands for these types of services, making sure that we are graduating an appropriate number each year. I think it's really important to not just respond to the current crisis or the current challenge, but looking forward and looking at trends.

Ms. Lisa M. Thompson: Okay. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Thompson. Mr. Gates.

Mr. Wayne Gates: Good afternoon. How are you today?

Ms. Wendy Lawrence: I'm good. How are you?

Mr. Wayne Gates: Good. Not too bad at all. It's interesting with chiropractors, pharmacies and all that kind of stuff. You're talking a little bit about the scope of the work and how they could help our health care system function better. Have you got any ideas around that on improving the scope of work, doing work like giving needles, giving stuff at the pharmacies? What's your position on that? I know they're doing a lot of that—checking blood pressure, checking sugar—rather than running to the doctor to do that, and freeing up doctors to take care of harder issues and expanding on those services to serve the public better.

Ms. Wendy Lawrence: Yes, I think scope of practice of all professions is being looked at to make sure that if a professional who may be more cost-effective, for example, than a physician can provide that service—exploring that. But I think, on the other side, the council has a challenge that where scope of practice is expanded for chiropractors, to make sure those chiropractors are equipped with programs and standards that help them respond to that expanded scope of practice. But I do think revisiting scope of practice is a great idea.

Mr. Wayne Gates: Okay. I'm quite familiar with the pharmacies. So on the scope for a chiropractor: What do you think that they should be able to do to help expand their scope? What would be some of the things that you think they should be able to do?

Ms. Wendy Lawrence: I think maybe looking at what health care services currently are in short supply from existing practitioners, and whether those particular services could be provided within the scope of qualifications of a chiropractor.

Mr. Wayne Gates: And an example of that would be?

Ms. Wendy Lawrence: I guess an example would be more invasive services. So for example, chiropractors under the Regulated Health Professions Act are permitted to provide acupuncture, which is, on the spectrum, something more invasive, so looking at something like that.

Mr. Wayne Gates: Are you familiar with the fact that all chiropractors practising in Ontario are required to become registered members of the college?

Ms. Wendy Lawrence: Right. Yes.

Mr. Wayne Gates: And I read that out because when I saw that—there are debates around other professions on whether they should be regulated, whether they should belong to a college. I saw that with the chiropractors so I

thought it was important to read that out, having you say “yes.”

I’m always fascinated with health care. I’m from Niagara. Niagara Falls is my riding, but I grew up in St. Catharines. We have a lot of issues around health care in Niagara, particularly closing of hospitals, cuts to services, mental health being moved out of Niagara Falls into a community that is 20 minutes away. Where do you see long-term care going?

Ms. Wendy Lawrence: In terms of long-term-care services?

Mr. Wayne Gates: Long-term care, yes.

Ms. Wendy Lawrence: Well, certainly with an aging population, there’s a growing demand for long-term care. I think just exploring the right place for long-term care to be delivered is a very lively debate, whether it’s at a hospital, whether it’s a long-term-care home, or whether it’s at-home services.

Mr. Wayne Gates: Okay. How long have you been involved with health care?

Ms. Wendy Lawrence: Four years.

Mr. Wayne Gates: So you’re relatively new to the bigger picture on health care. Do you see there’s a real movement in the province to look at closing more hospitals and not even having hospitals, where it would be more community hubs, that type of stuff, expanding the scope of the service so that the need for the hospital is not there?

Ms. Wendy Lawrence: I wouldn’t know the rationale on that. I haven’t looked closely at that issue.

Mr. Wayne Gates: I’m asking that because it seems like that’s kind of where we’re going on not having as much need for hospitals, which is interesting to me because we want long-term care. We want to be taking care of our parents in our homes more, keeping it at home, that type of stuff.

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Interjections.

Mr. Wayne Gates: I don’t need your comments, quite frankly. I’m talking to the witness. I have 10 minutes. I don’t need your comments at all.

I’m passionate about health care. Health care in my community is a need that is in dire straits with the closing of the hospitals. I just wanted to get a professional opinion, because you talked about health care and your passion for health care, and your passion to make sure that people are being treated in a timely fashion. I respect that, and that’s why I was trying to say—maybe some advice even for myself on how we can continue to highlight what we need in Niagara.

On the scope, I think we’re right on the money. I think you’re absolutely right: I think we should be expanding the scope of chiropractors. I think we should be doing it with our pharmacies as well, again to alleviate some of the—you go to the doctor’s office and sometimes you sit there for an hour and a half or two hours. Meanwhile, you’re getting your blood sugar checked that you could have gotten down at a pharmacy. I think that’s the type of

scope that you’re talking about, that I think would work in the health care profession.

What motivated you to seek the position?

Ms. Wendy Lawrence: My interest in health care, and my experience as a lawyer in health care, and wanting to apply that in a way to serve the public interest.

Mr. Wayne Gates: What about the time commitment?

Ms. Wendy Lawrence: I noticed that the meetings are posted well in advance, so it would make it possible to definitely plan for those meetings.

Mr. Wayne Gates: Okay. What particular contribution do you hope to make to the council of chiropractors of Ontario?

Ms. Wendy Lawrence: One, definitely applying my experience in the hospital sector with the registration of physicians and the annual application of physician privileges, applying that to the college registration and annual renewal process.

Secondly, just furthering some of the initiatives that the council has already taken with respect to transparency.

Mr. Wayne Gates: Have you ever sat down and talked to any chiropractors in your—

Ms. Wendy Lawrence: I have received chiropractic services.

Mr. Wayne Gates: No, but have you sat down and talked to them about some of this stuff? Because, obviously, getting on a board—have you already talked to some chiropractors? What do you think you need? What do you think you could provide, before you came here?

Ms. Wendy Lawrence: I haven’t, but I think that the council would be a great forum for that.

Mr. Wayne Gates: I can tell you that my wife had a serious car accident a number of years ago and has been using chiropractors almost continuously to try to get better with her shoulder and her legs and stuff. They do important work. I certainly believe that we should seriously look at their scope of work.

Could you tell me your previous experience with self-regulating professions that might be of assistance for undertaking this position?

Ms. Wendy Lawrence: Sure. I’m a lawyer, so I belong to a self-regulating profession. Secondly, in my role at the hospital, I’ve worked with both the College of Physicians and Surgeons and the College of Nurses when they have been investigating physicians or nurses at the hospital that are staff members, in terms of helping them respond to the investigation and collect documents and records.

Mr. Wayne Gates: How big is your concern with making sure that we’re able to deal with our senior population when it comes to health care?

Ms. Wendy Lawrence: I think it’s an important development for everyone, whether it’s a hospital, a community organization or an independent practitioner, to be monitoring, just to make sure that we know of the challenges that are currently going on—and more to

come ahead—and that we're prepared to respond in a smart way to that.

Mr. Wayne Gates: Okay. How much time have I got left?

The Chair (Mr. John Fraser): One minute and 49 seconds.

Mr. Wayne Gates: Anyway, it's a pleasure talking to you.

Ms. Wendy Lawrence: Thank you.

Mr. Wayne Gates: I think that you're right on the money on the scope. When you get on this, continue to do that. Everybody I've met, whether it be with the chiropractors or the pharmacies, they're all saying that's something we can do that can certainly cut the costs down in health care. We're fighting for every single dollar in health care. I think that's a real direction, when you get onto the board, to continue to do.

Thanks for coming today. I appreciate it.

Ms. Wendy Lawrence: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Wayne Gates: My pleasure.

The Chair (Mr. John Fraser): Ms. Lawrence, thank you very much for being here today.

Ms. Wendy Lawrence: Thank you.

The Chair (Mr. John Fraser): This concludes the time for the interview. Thank you very much for presenting to us and answering our questions. We'll consider the concurrences for the appointments at the end of the day. I want to thank you very much, and you may step down.

Our next intended appointee is not here.

Interjection.

The Chair (Mr. John Fraser): Just before I take your point, I just want to say one thing while we're here without any appointees. We have appointees here who are here to answer our questions, and they're being interviewed. We do work in an environment where we don't agree on things, and so on both sides we have to be conscious of the fact that we have somebody here who's not a partisan person, who's here to be interviewed. It may be uncomfortable or confusing to them why we're talking to each other. I just want to point that out. I think we have to all keep that in mind. I know that's where we come from, but these people who are with us are here to be questioned as to their competence and their suitability for the appointment.

I just wanted to put that out there. Thank you very much.

Mr. Gates, you had a—

Mr. Wayne Gates: I can appreciate what you're saying, but at the end of the day, if one of my colleagues is speaking, I would think that the proper way to do it is to put their hand up and go through the Chair to make any comments. You may disagree with any of our questions, but I don't believe that people should be talking across when I'm talking. I think that shows absolutely no respect.

The Chair (Mr. John Fraser): And I'll have to say—

Mr. Wayne Gates: I understand what you're saying.

The Chair (Mr. John Fraser): What ends up happening is—it can happen on both sides, and it's easy because it's the environment that we're in. As Chair, I think it's fair to say that there's a fair amount of latitude in what people are allowed to ask in their questions, not being a judge about when something is appropriate or not. So there's a lot of latitude in this committee, and there should be, because again, we're asking people about their qualifications and their suitability.

So as Chair, we have to permit that latitude, but we have to also respect the person who's sitting in front of us. So I appreciate it very much—Mr. Gates?

Mr. Wayne Gates: I don't want to stay on this, but to be clear, I believe that if you don't like the line of questioning that one of us is doing, we go through the Chair. So I think that's probably the best way to go about that.

The Chair (Mr. John Fraser): That is. We come from an environment where we don't always agree. This is a different place from the place upstairs.

Mr. Wayne Gates: I agree.

The Chair (Mr. John Fraser): But we're still sitting across from each other, so that's what happens sometimes. I just wanted to remind everybody of that.

Mr. Wayne Gates: I appreciate that. Thank you.

The Chair (Mr. John Fraser): Thank you very much.

MR. PAUL MACMILLAN

Review of intended appointment, selected by official opposition party: Paul Macmillan, intended appointee as member, Health Professions Regulatory Advisory Council.

The Chair (Mr. John Fraser): Our next intended appointment is Paul Macmillan, nominated as member, Health Professions Regulatory Advisory Council. Mr. Macmillan, can you come forward?

Mr. Paul Macmillan: Hello.

The Chair (Mr. John Fraser): Please have a seat. Thank you very much for being here today. You may make a brief statement. Any time that you use for your statement will be taken from the government's time to ask questions. You'll be asked questions by members of all three parties today. Again, I thank you very much for being here. You may proceed.

Mr. Paul Macmillan: Thank you very much for the time and for the invitation. My name is Paul Macmillan. I'm a partner with Deloitte, based here in Toronto. I've been with Deloitte for almost 30 years; I've been a partner for over 20. I'm here because I've been asked to participate in the Health Professions Regulatory Advisory Council, and I'd be pleased to do so.

By way of background, I grew up in Ottawa—in Nepean, actually—and went to Carleton University, where I studied public administration, and the University of Ottawa, where I did an MBA. My area of focus is in management consulting and has been around public

administration and public management. I recently completed a role as Deloitte's global public sector industry leader, which means I was responsible for all of the services that we bring to government and all of our lines of business around the globe. I have recently completed that job and I'm now focused back in Canada, leading our strategy and operational management consulting practice.

I previously served as a board member at Bridgepoint health out in Riverdale for a number of years. As part of that, I worked with Tom Corcoran, who has joined me here today, who was then chair of Bridgepoint and is now chair of HPRAC. He invited me to join, to be part of the committee. So that's my background. I'm happy to share more.

The Chair (Mr. John Fraser): Thank you very much, Mr. Macmillan. Our questioning will begin with the official opposition. Mr. McDonell?

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Mr. Jim McDonell: Thank you. What motivated you to take on this new role?

Mr. Paul Macmillan: Well, I want to do some things that are involved in the community. My background is very much in the realm of public-private co-operation and collaboration. I enjoyed working within the health sector. As you know, Bridgepoint hospital has amalgamated with Mount Sinai. There was some restructuring of the board and so I gave up that role as part of that work. I was looking for something to do, and this seems like an area which suits my background and interest, isn't a huge amount of draw on time and from time to time would have some topics that I think would be very important in terms of health outcomes and patient safety across the province.

Mr. Jim McDonell: So you have five years' experience on the hospital board. Could you tell us about your experience with the regulated and non-regulated professionals in that role?

Mr. Paul Macmillan: Really, none, I would say. I don't really have any experience relative to the regulated health professions space, which was one of the things that was presented to me as one of the reasons why I might be attractive to it: because I don't have a view, necessarily, on regulated and non-regulated health professions going into this, other than the fact that as a board member, obviously, you're providing governance over resources that are part of different regulated professions. Beyond that, I really haven't had any.

Mr. Jim McDonell: I know personal support workers have been reaching out through our office to be regulated. Do you have any comment on what criteria might be put in place for deciding whether they should become regulated or remain the way they are?

Mr. Paul Macmillan: The criteria, as I understand it, are pretty well established with respect to both what's in the act and also what's provided by way of guidance to the council members. Obviously, public safety is the number one criteria with respect to implications, positively or negatively, and with respect to any potential

harm to the population. Then there are a number of other criteria with respect to economic factors that are a part of that as well. I would say that the criteria to be applied are pretty clearly articulated. The key, as I understand it, relative to the council, is evidence- or fact-based in terms of what evidence is available to support applications that are made, and for us to take an independent and objective view of it.

Mr. Jim McDonell: Also in your experience on the board, what have been some of the challenges that you faced? Any challenges with funding or the like?

Mr. Paul Macmillan: Well, it has been interesting. Certainly, if I think specifically relative to hospital board governance, funding is a continual challenge, particularly because of not just restraint but also formulas and methods by which funding allocation decisions are made. It's something that, as a board governor type, is important to keep abreast of because it does change from time to time. I think that we expect to see different types of business models and other things emerge within the health space that will continue to be, I think, a challenge with respect to people who are overseeing and looking at potential impacts, positive or negative, with respect to population health.

Mr. Jim McDonell: Hospitals have had their funding frozen or in some cases reduced over the last number of years, so it certainly created some challenges for sure.

Any questions?

Ms. Lisa M. Thompson: Sure, thank you. I have a question around your experience with regard to your reference to public-private collaborations. I just want to learn a little bit more about that. Can you give us an example of a collaboration that worked very, very well? I was just going through my notes here. You alluded to different health care business models evolving, so I'm wondering if there's a little bit of a connection there between your experience with public-private collaboration and the evolution of business models in health care. What are your thoughts on it? What are your experiences?

Mr. Paul Macmillan: I had the opportunity back in 2013 to co-author a book that Harvard Business Review Press published. We called it *The Solution Revolution*. Our subtitle was about how business, government and social enterprises are teaming up and collaborating to try to solve big public problems.

What we found, of course, is that there seems to be more opportunity, given the Internet, social media and crowdfunding—you can pick a whole range of topics and trends that are under way that seem to be encouraging citizens to participate more in social issues, whether it be personal health-related or any variety of others.

We do see sort of a global trend of new opportunities for collaboration associated with social challenges.

Ms. Lisa M. Thompson: Interesting. Just yesterday I had a meeting with a Community Living organization and they have a social enterprise whereby some of their clients have a catering service. Loosely interpreting some of the messaging I heard, they're getting their hands

slapped a little bit for their entrepreneurialism. What do you think when you hear of real life examples like that?

Mr. Paul Macmillan: It's interesting because there is a lot of opportunity for more creativity, and we have seen in different jurisdictions—I know that Ontario has looked at social enterprises and how they're treated, as have other provinces—this whole question of if you make a profit in terms of a service that you offer, should you be able to reinvest some of that in your mission and mandate?

I would say it's an area where I'm certainly seeing a lot more openness around how to encourage for-profit and not-for-profit social enterprises in terms of trying to fulfill their mandates.

Ms. Lisa M. Thompson: Very good. I'm going to have to get your book and give it to the ED. Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Ms. Thompson. Mr. Gates.

Mr. Wayne Gates: I saw that you co-authored *The Solution Revolution*. How long ago did you put it out?

Mr. Paul Macmillan: Pardon me?

Mr. Wayne Gates: How long ago was the book—

Mr. Paul Macmillan: It was published in 2013, so just three years ago this month.

Mr. Wayne Gates: Bestseller?

Mr. Paul Macmillan: I wouldn't call it a bestseller.

Mr. Wayne Gates: I'm just checking.

Mr. Paul Macmillan: I don't think anybody would call it a bestseller.

Mr. Wayne Gates: Lots of royalties on that one, I bet. But it certainly got into some people's hands, obviously.

Mr. Paul Macmillan: Absolutely. Actually, it was really good, from my perspective, in terms of tapping into a trend with respect to citizens—not just citizens, but also businesses, not-for-profits and others looking for ways to partner and collaborate around social problems.

Mr. Wayne Gates: I wouldn't mind reading it actually. It's kind of interesting.

Your experience: What do you think you'll bring as a council member in your role?

Mr. Paul Macmillan: When you're working in consulting to government as I have been for almost three decades—

Mr. Wayne Gates: Did they ever listen?

Mr. Paul Macmillan: Absolutely. I like evidence-based decision-making, and it's a very important part of how we hope governments will operate and make decisions in terms of looking for improving of public outcomes.

In this particular case, it's something that I'm used to and that I'm practised in and it's an important part of the mandate of the council. Hopefully, I'll be able to bring some of that to the process.

Mr. Wayne Gates: I'm sure, because you did touch on private-public types of partnerships—

Interjection.

Mr. Wayne Gates: Well, it is shown that in the province of Ontario we've actually spent billions more

than we should have. Do you believe that? It's showing that it's costing more, and I'll use health care as an example, which might work out better.

I'm from the Niagara Falls riding and I grew up in St. Catharines. We just built a brand new hospital in St. Catharines and it cost \$1 billion—365 beds, it's brand new; we closed two other hospitals in the area for \$1 billion. Peterborough built a hospital that was almost the same: 20 fewer beds, same types of services, and theirs was \$340 million.

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My argument—and I'm not saying I'm right, because you did the book; I'm sure you've had this argument before and will have a response. There's \$600 million that could have been put back into health care. Maybe you could explain—because that's an argument for me. I say to people all the time, "It cost \$1 billion. If it cost \$350 million, we could probably build three hospitals rather than one." Your response to that on the P3s?

Mr. Paul Macmillan: I'm not going to comment on the two particular cases because frankly, I'm not sure I know that much about the two cases. I do know that sometimes—well, let me put it another way. There are a number of reasons that drive governments to decide to use P3s, and they're relatively well established. They have to do with trying to complete projects on time in a more consistent and predictable fashion. Ontario has completed a number of projects, a number of hospitals, over the past half-decade or decade under that program. In that respect, every project follows an approach which is—and I know first-hand from an Ontario perspective, which follows an established approach with respect to calculation of risk and return.

I'm sure there are many projects that haven't met that hurdle and haven't proceeded, but all the ones that have been performed, to the best of my knowledge, have followed an approach with respect to a consistent methodology, which is clearly a good thing with respect to looking at value for money in terms of public spending.

Mr. Wayne Gates: Yes, because there's only one taxpayer at the end of the day.

Do you believe that you'll need any training to sit on the board?

Mr. Paul Macmillan: I don't think so. There will be some orientation with respect to the process and there's a learning curve, but I don't think I need any specific training beyond the orientation that the secretary at the ministry would provide.

Mr. Wayne Gates: Okay. I just want to say thanks for coming this afternoon.

Mr. Paul Macmillan: You're welcome.

Mr. Wayne Gates: My pleasure.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. McGarry.

Mrs. Kathryn McGarry: Thank you very much for your presentation today. I spent my entire adult career in health professions. I am a nurse, and I'm dating myself by saying that I've watched the health care professions grow and change and evolve over my entire career. For

instance, at one time when I was practising, midwives were not regulated. PSWs were not in existence; they were health care aides. So we've watched a steady progression of change and evolution in the health care field.

As health care is still evolving, there are several professions that are still being regulated—for instance, midwives in 1994; naturopaths just became registered. I know that there has been some discussion about personal support workers, for instance, becoming regulated or unregulated. That discussion is ensuing.

What relevant experience do you have that will help to advise the minister on what professions should be regulated or unregulated?

Mr. Paul Macmillan: I wouldn't say that I have experience that will be directly relevant to the subject matter that you've identified in terms of those particular cases, but in terms of the process of making a recommendation to the minister, I would say that a large part of my consulting career has been doing assessments, reviews, objective studies for governments relative to their decision-making. So that process of a proposal or recommendation being put forward which government decision-makers are looking for objective feedback on, on whether it does or doesn't make sense kind of thing, based on a number of criteria, is something which I have done for a large part of my career. I'm relatively comfortable that the role that I'm being asked to play with respect to applying the legislation and fulfilling the role of the committee is something which my skill set is well suited to.

Mrs. Kathryn McGarry: So looking at the process of making an evidence-based decision—it doesn't really matter what sector; it's more making sure that everything sort of lines up on either side of what that decision needs to be. I appreciate that too, because sometimes that high-level overview, that third-party objective opinion, helps to make sure that there's no stone left unturned in such decisions. I appreciate that.

The other part of the position would really be regarding patient relations programs of Ontario's health regulatory colleges. These would be patient relations representatives that are there just to accommodate any situation that arises, either a complaint or anything like that. Do you have any experience in dealing with the public as it relates to a regulatory body and how to ensure that those processes in place are good enough for the public to be able to make comments?

Mr. Paul Macmillan: I don't think so. If I understand your question in terms of whether I have been involved in situations which are similar to what you're describing, in terms of patient or other representatives—no, I don't think so.

Mrs. Kathryn McGarry: I think that part of the position is really just to advise on that. Again, I think that the processes that are in place do help you to make that decision.

I'm also interested in why you want to serve on this particular board, given your wide range of experiences.

Mr. Paul Macmillan: I was invited, because of a view that my background would be suitable. I've come

out of my global role. I'm not travelling around the world as much as I was for the past four or five years, so I have a little more time capacity. I was looking for something to contribute to. The more I learned about it—I thought that it was an area which is important. So to the extent that I have got an opportunity to contribute in a way which could have a meaningful impact, it's attractive to me to do so.

Mrs. Kathryn McGarry: I appreciate that. I appreciate you coming today, and I appreciate the experience that you have behind you and your commitment to public service. Thank you.

Mr. Paul Macmillan: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. McGarry.

Thank you very much, Mr. Macmillan. This concludes the time for the interview today. I want to thank you very much for being here and for presenting and answering all of our questions. We will consider the concurrences at the end of the day. I want to thank you again very much for being here, and you may step down.

Mr. Paul Macmillan: Okay. Thanks very much, everyone.

MS. CRISTINA De LEON-CULP

Review of intended appointment, selected by official opposition party: Cristina De Leon-Culp, intended appointee as member, Landlord and Tenant Board.

The Chair (Mr. John Fraser): Our next intended appointee is Cristina De Leon-Culp, nominated as a member of the Landlord and Tenant Board. Ms. De Leon-Culp, could you please come forward?

Thank you very much for being here today. You may make a brief opening statement. Any time that you use will be taken from the government's time for questions. You'll have questions from members of all three parties today. Again, I thank you very much for being here.

Ms. Cristina De Leon-Culp: Thank you for having me.

The Chair (Mr. John Fraser): My pleasure. Just so you know, I'll be stepping out of the chair at 2 o'clock. If there's any unusual movement, I have to leave at 2. I appreciate you being here. You may begin.

Ms. Cristina De Leon-Culp: Good afternoon, honourable Mr. Chair and honourable members of the standing committee. I know that this is the afternoon of day 2 of these review hearings, but I ask that you bear with me and give me a listen as I highlight some of the qualifications which I hope to bring to this position, if appointed.

I have been a lawyer for 25 years. Initially, I was called to the Philippine bar in 1990. I practised in the city of Manila for close to five years, primarily in the areas of employment and labour relations. As such, I regularly appeared before adjudicative tribunals, including labour arbitration boards. I think it was then that I first gained an appreciation for the active and expeditious dispute-resolution process afforded by specialized quasi-judicial

bodies, and how the summary process facilitates access to justice and timely resolutions of disputes.

The next phase of my law career started with my move to Canada in 1995. After completing a master of laws from Queen's University in 1996, I completed accreditation studies in law at the University of Toronto. I then articulated with the Superior Court of Justice, then called the General Division, and I served over 30 justices for the entire central south region.

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My articling year with the Superior Court of Justice was a tremendous experience for me. It developed in me an aptitude for looking at all angles, appreciating all positions, which I believe is necessary for impartial adjudication.

I remember sitting in on motion hearings with my mentors, the justices, and reviewing files and files and files, and then having these adjudication sessions with my mentors, the justices, and discussing with them the interests and perspectives of both sides in a dispute.

I was called upon to make several recommendations in regard to the resolution of files, and I did that through thorough and well-researched legal memoranda. I was very gratified when my mentors actually adopted these recommendations and reflected my input in their reported case decisions.

After writing the bar admission course, I was called to the Ontario bar in the year 1999. In the last 13 years, I've been practising in Brantford, Ontario. My general practice has included specifically landlord and tenant law.

I appear before the Landlord and Tenant Board on various landlord and tenant issues, such that I am familiar with the procedures, with the process, before the Landlord and Tenant Board, governed by its own rules of practice and the Statutory Powers Procedure Act.

I have a good working knowledge of the relevant legislation, which is the Residential Tenancies Act, as well as case law and board decisions.

I have participated in numerous mediation sessions, actively working with the mediator employed by the board and with the parties, to bring about fair and early resolution of cases.

While I have primarily represented landlords in files that go before the Landlord and Tenant Board, I have also advised and, in certain cases, provided legal representation to tenants in matters, for example, involving a landlord's requirement to repossess a property for personal use.

I also wish to highlight that my legal practice has included a fair component of employment law. This is an area of law which has afforded me many opportunities for private mediation to resolve the claims of an employee in a wrongful dismissal file.

This is also an area of law which has involved human rights legislation. I hope to bring into this position my heightened sensitivity to human rights issues—a respect for diversity, a sensitivity to disadvantages that people may have due to disability, including mental health issues

or due to language or family status. I will be sensitive to the need for accommodation in rental housing as well as in the conduct of the hearing.

Finally, I wish to highlight that I am active in my local community in various volunteer positions, including being a director and officer of the Filipino-Canadian Association of Brantford, and chairperson for the last two years of the Philippine Village, which is part of the bigger Brantford International Villages Festival. This festival is a four-day multicultural event, one of the top 50 festivals in Ontario—a large crowd-drawer, for sure. It showcases the cultures, dances, music and cuisine of the various represented cultures.

My leadership in these volunteer positions has developed my organizational and management skills, but most importantly, it has developed in me a kind of social intelligence, an ability to actively listen with empathy, attuning to the interests of all parties; an aptitude for understanding what may lie behind perhaps a hostile tone or language or behaviour; and an ability to maintain control in confrontational or stressful situations.

I think this social ability will help me, if appointed as member of the Landlord and Tenant Board, and enable me to treat people with sensitivity, respect and courtesy, and enable me to adjudicate issues under the act as fairly as possible.

Thank you for the opportunity to make this brief presentation. I see that everybody has kept awake, so thank you very much for listening to me.

The Chair (Mr. John Fraser): Thank you very much. Mr. Gates?

Mr. Wayne Gates: Good afternoon.

Ms. Cristina De Leon-Culp: Good afternoon, Mr. Gates.

Mr. Wayne Gates: How are you? I can tell you—I've said this a number of times today—I'm from Niagara, the Niagara Falls and St. Catharines area, and we certainly have a big Filipino Canadian community that does incredible work in volunteering. To your point on the human rights file that you talk about yourself: Some of the issues, obviously, when they come into our community are language barriers.

Ms. Cristina De Leon-Culp: That's correct, yes.

Mr. Wayne Gates: Some are mental health issues. So the fact that you're on to that is good. I'm sure your community back in Brantford appreciates it because sometimes they don't know where to turn.

Ms. Cristina De Leon-Culp: That's right.

Mr. Wayne Gates: Thank you for doing that. I can tell you as an MPP, the Landlord and Tenant Board is one that we use quite regularly.

In my community, in Niagara, we have—although I've said this once before, Niagara is a little better this year because of the lower dollar. We're getting a lot more tourists coming to Niagara Falls this year and into Niagara-on-the-Lake. But we have a lot of issues around landlords and tenants from both sides, from the landlord coming in and talking about the tenant that they've got issues with, and the tenant is talking about the landlord

that they've got. It's a very big issue and one that we spend a lot of time on. I would say it's almost full-time, with one staff person doing these types of issues. I don't know if other areas go through that. So it's a very important role that you're taking on.

You talked a little bit but I'll ask you to say it again. What really attracted you to say, "You know what? This is something I want to do"?

Ms. Cristina De Leon-Culp: My fair share of landlord-tenant law files in my private practice has given me a good working knowledge of the landlord and tenant law, as well as the procedural aspect, the board processes, so I have that knowledge and experience base. I'm probably one of the few lawyers who has—standing commandingly right on her desk—a battered, heavily highlighted, Post-it Note-covered compendium of landlord and tenant law. It's true. I'm probably one of the few lawyers, at least in my community, who regularly appears before the Landlord and Tenant Board because, really, more and more paralegals and property managers do this type of job, and that's great. But for me personally, having this knowledge and experience base, it's almost natural to want to move into an adjudicative role.

Mr. Wayne Gates: I can tell you that I wish we had more lawyers. It's one of the problems that we have in Niagara, that it takes such a long time to go through the process.

I'm also fascinated—and we've talked about this, quite a bit, actually, with a number of boards—with the importance of doing mediation.

Ms. Cristina De Leon-Culp: That's right, yes.

Mr. Wayne Gates: Maybe you can elaborate on why that's important so they don't go through that entire process, outside the cost.

Ms. Cristina De Leon-Culp: Yes, that's right. Well, I am a firm believer in the mediation process, and I use the mediation process very heavily within the Landlord and Tenant Board process. In fact, I've had files where even before the scheduled date of hearing I would jump-start the mediation process by phoning up the mediators and having them look into the file, trying to broker a settlement between the parties. Seventy per cent of the time that has succeeded, dispensing with the need for a hearing—mind you, cutting down my fees. But that's okay because, at the end of the day, I feel that I've done a great service to the landlord and aided in the administration of justice in that it was resolved in an early, fair and reasonable way, with the parties crafting their own settlement terms. Within the Landlord and Tenant Board process, the mediators are always onsite. They are a huge help and I've used them a lot.

I've also noticed now that they have a case management process that's built into the structure so that even before the scheduled hearing date there is, by telephone, a mediator who tries to simplify the issue. It's sort of a pre-trial or a settlement conference. That has also helped. I've participated in a case management hearing process. Again, it dispensed with the need for a hearing. That's very important.

Mr. Wayne Gates: I thought the explanation was really good, but the line that I liked the best was the fact that you said that 70% of the time we're getting them resolved in a timely fashion, at the expense of your fees.

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Ms. Christina De Leon-Culp: At the expense of my fees.

Mr. Wayne Gates: But the issue then becomes, from you, that you want to get it resolved.

Ms. Cristina De Leon-Culp: I want to get it resolved.

Mr. Wayne Gates: That's right. I think that's very, very important, and it's nice to hear you say that, that the client is the important person here. Because they're going through a stressful time—it's not fun, it's not fun.

Ms. Cristina De Leon-Culp: Absolutely. And the other beauty of mediation, if I may add, is that in mediation you may resolve terms that are not necessarily before the board or within the jurisdiction of the Landlord and Tenant Board; for example, outstanding utilities or other such issues. Then parties are free to talk about these issues and come to an agreement about how to resolve these issues, and oftentimes it results in better relationships. Then you've really rehabilitated the tenancy relationship, the tenancy, and then you allow it to continue without the bad feelings.

Mr. Wayne Gates: If you can stop the fighting, it helps.

Ms. Cristina De Leon-Culp: Yes.

Mr. Wayne Gates: For sure.

Ms. Cristina De Leon-Culp: That's correct.

Mr. Wayne Gates: In your opinion, what challenges, if any, do you think the board faces in exercising its responsibility?

Ms. Cristina De Leon-Culp: Well, the first challenge I see is the ever-increasing number of cases that go before the Landlord and Tenant Board. I don't have statistics, but just from my experience as a lawyer bringing matters before the Landlord and Tenant Board, I have observed how in the city of Brantford we now need two members, sitting in two separate hearing rooms, hearing files all day. Yes, the mediators are on site and that's been a help, but there is that huge volume of case law. That's one challenge.

The other challenge that I'd like to speak to, as I had mentioned, is human rights issues. More and more I'm observing that human rights issues are coming into play in landlord and tenant law. That's a challenge before the board. The act mandates the board to consider all circumstances in determining whether it is just to refuse, delay, postpone an eviction. Part of the many considerations a board has to review is whether the tenant has a disability and whether the landlord has, in turn, accommodated the tenant's disability to the point of undue hardship. That is a very high test and that's the challenge that faces the board.

For example, a landlord may come before the board with an allegation that a tenant with a mental health issue has interfered with the reasonable enjoyment of other tenants of the rental premises, because the tenant is,

perhaps, making unnecessary noise that is keeping the others awake. In such a situation, the board has to inquire into whether the landlord has taken steps to accommodate the tenant, and that inquiry can involve asking whether the landlord has consulted with members of the family, with health care workers, social workers, in regard to whether they are monitoring the tenant's compliance with medications, or if the tenant is attending psychotherapy. It may involve the landlord consulting with engineers—acoustic engineers—and whether the residential building has been soundproofed.

So there is that inquiry and the board has to turn its mind toward the cost of accommodating, and health and safety requirements, especially if, let's say, other tenants are affected and they fear for their safety as a result of the manifestations of a mental health issue.

So there's that balancing that has to take place when there's a human rights issue that's before the board.

Mr. Wayne Gates: And in most cases, or at least we've found, the landlord will not want to go through that process, because it's a lot easier and a lot cheaper just to get rid of the problem, in their eyes. That's the challenge.

Ms. Cristina De Leon-Culp: That does happen, and that's why the board is there to apply the Human Rights Code. The Human Rights Code is the law of the land, and the board members are mandated to take into consideration the landlord's duty to accommodate in every issue.

Mr. Wayne Gates: How much time do I have left?

The Chair (Mr. John Fraser): Seven seconds.

Mr. Wayne Gates: Thanks very much, and keep up the good work.

Ms. Cristina De Leon-Culp: Thank you, Mr. Gates.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. Malhi?

Ms. Harinder Malhi: Thank you so much for your presentation and all the great work you do. It's clear how much you care about your community.

Ms. Cristina De Leon-Culp: Thank you.

Ms. Harinder Malhi: Seeing that you're so active in your community, can you highlight some of the organizations that you're involved with?

Ms. Cristina De Leon-Culp: Okay. I'm involved in the Philippine Village, which is one of 15 to 16 villages within the Brantford International Villages Cultural Festival. This is a four-day multicultural event that takes place in July every year.

I was chair of the Philippine Village. I organized the village. We had dances and we had to draw the community interest, to engage the community and to get them involved and participating. I can say that my involvement saw the increase in the volunteer base of the Philippine Village. When I assumed the position in 2014, at that time we had about 20 of our youth volunteering to be part of the dances. When I took over we were able to triple that number so that in 2014 we actually had over 60 youth and children under the age of 18 learning their

cultural dances and performing on stage. That was a great source of gratification for me.

Through the Philippine Village, we have been able to develop our youth's confidence and leadership. We've had youth come in who just arrived in Canada from the Philippines; they are shy and new to the country. They go through the Philippine Village process and at the end you can see a striking difference. They're confident, they have friends and they're showing leadership abilities.

Ms. Harinder Malhi: Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Ms. Malhi. Mr. McDonnell?

Mr. Jim McDonnell: Thank you for coming out today. You've shown a fair bit of experience at the Landlord and Tenant Board. How do you find the board works—the operation? Does it do its function or what it's intended to do?

Ms. Cristina De Leon-Culp: Yes, I do believe that the Landlord and Tenant Board functions as efficiently as it can within the legislation. My comments are all positive. I've obviously brought many applications on behalf of landlords before the board and every decision that I've received was always fair and I always felt I had a fair hearing. That's the important thing as well. Whatever way the decision went, I always felt I was afforded a fair hearing.

Mr. Jim McDonnell: One of the issues we have with rental units is a system that encourages not only renters but people to put an inventory of housing together so that there's a good rental stock available. I hear locally, within my riding, about problems with the rental industry. Maybe that is not as encouraging as it might be for increasing that stock of houses. Do you have any comments that you have received—you worked with landlords—about the challenges that they have as well as some of the challenges the renters have?

Ms. Cristina De Leon-Culp: Yes. As a representative for the landlords I always encouraged, as I've indicated, trying to enter into negotiated settlements using mediation. That has been very effective in keeping landlord costs down. There's always room to arrive at a compromise. In many ways that's the best solution because negotiating a settlement makes it possible for the parties to tailor their own terms that they are comfortable with.

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Mr. Jim McDonnell: Okay.

The Acting Chair (Mrs. Marie-France Lalonde): Ms. Thompson.

Ms. Lisa M. Thompson: Thank you for being here. I feel that, listening to your experience, you've been very fortunate because you've had so many good experiences with the board and the tribunal. When I think about the meetings I've had with landlords from my riding, they're very frustrated at how the system tends to, to their way of thinking, when they met with me on separate occasions—that the whole system seems to put them at a disadvantage, favouring the renters as opposed to the landlords.

Just this past week in Essex, a colleague of ours hosted an open forum, and over 50 landlords attended to

learn more about their rights and how they can advocate for a balanced approach.

In this position that you're applying for, what would you do in terms of steps to ensure that landlords as well as renters are equally represented, so that that fairness can be truly felt? Because I can tell you, there are some landlords who feel that currently the system is not balanced and they're at a disadvantage.

Ms. Cristina De Leon-Culp: I can't say that I haven't thought about that question. Yes, I have had experiences where things didn't necessarily go my way. I've reviewed the legislation. My concerns—where an unintended result of frustrating or delaying, say, an eviction—when that happens, it's not really, in my view, anyway, a deficiency in the legislation or in the system. The way I perceive it is that when that happens, it's a failure in the underlying relationship, where there is a duty of good faith and fair dealing between contracting parties.

Yes, I have had such experiences, but even the most comprehensive legislation, in my mind, cannot cover every nuance of every relationship. For example, in the Residential Tenancies Act, there is the de facto right of appeal to the Divisional Court, and there is no leave for appeal that's required. In a perfect world, that's perfectly sensible and consistent with the purpose of the legislation, which is to allow the rehabilitation of tenancies. But once in a while, yes, that appeal right can have the unintended result of frustrating a lawful eviction. But on the flip side, as well, it can bring about the unintended result of frustrating a lawful rent abatement, for example. Is the law deficient? Is it the system that does not work, or is it a failure in the underlying good-faith obligation between the parties? The way I perceive it, it's the latter, where there should be more good faith between the parties to work within the legislation.

Ms. Lisa M. Thompson: If you were to have a seat around the board table, what could you do to facilitate that enhanced relationship?

Ms. Cristina De Leon-Culp: I would allow better communication. That's very important. If they come before me in the Landlord and Tenant Board, I would encourage that they talk amongst themselves and try to resolve their matter, or to use the services of the mediator to try to resolve their matter. Communication would be key, I believe.

Ms. Lisa M. Thompson: What kind of timeline do you think is appropriate in terms of resolving the issue at hand? Is it six months? Is it a year? Given your experience, how long do you think due process should take?

Ms. Cristina De Leon-Culp: When I go before the board and I ask for an order and I say that it's a standard order, I usually get it within 11 days. That's the standard that they have when you ask for a standard order. The board member would usually ask you, "Are there any circumstances that you're aware of why we should refuse or delay eviction?" That's the opportunity to bring out any factors that may affect the timelines. For example: The landlord may be needing the property for another

renter or for personal use, or maybe there are human rights issues that are there that will allow the delay of the eviction. But usually, it's an 11-day turnaround or a two-week process.

Ms. Lisa M. Thompson: Okay, thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much. That concludes the time that we've allocated for this interview. We will consider concurrence at the end of the day. We would like to say thank you very much for being with us today.

Ms. Cristina De Leon-Culp: Thank you for listening and for considering me.

The Acting Chair (Mrs. Marie-France Lalonde): You may step down.

MS. CHINYERE ENI-MCLEAN

Review of intended appointment, selected by official opposition party: Chinyere Eni-McLean, intended appointee as member, Ontario Trillium Foundation.

The Acting Chair (Mrs. Marie-France Lalonde): I would like to invite our next intended appointee today: Ms. Chinyere Eni-McLean. I'm not sure how I'm pronouncing your name, and I apologize if I—

Ms. Chinyere Eni-McLean: No problem. All attempts are welcome. I know it's an unusual name.

The Acting Chair (Mrs. Marie-France Lalonde): You'll have to help me out here. I want to say thank you for being here today, and welcome. You will have a chance to do a brief statement. Members of each party will then have 10 minutes to ask you questions. Any time that you use during your statement will be deducted from the government's time for questions, if it exceeds the allocated time. I would like you to start.

Ms. Chinyere Eni-McLean: Good afternoon, ladies and gentlemen. Madam Chair and members of the committee, I want to thank you for the opportunity to introduce myself. I'm known professionally by my middle name, which is Chinyere. I'm a banker and an active volunteer. I have a master's degree from Rotman School of Business at the University of Toronto. I've practised banking for 16 years and have been an active volunteer for over 20 years.

Within RBC's personal and commercial banking business, I've worked in various capacities, including the branch network, operations, relationship management and strategy roles. In 2012, I was appointed as national director for both public sector and aboriginal markets for RBC. In this role, I was responsible for the national banking strategy governing all of RBC's public sector bankers. On the aboriginal side of my work, I was responsible for the enterprise strategy, the aboriginal market strategy guiding all of RBC's business.

As a unique aspect of my role, I was responsible for publishing the annual publication of the Aboriginal Partnership Report called *A Chosen Journey*. That report includes a scorecard of RBC's activities supporting four key pillars of work, one of which was community and social development through donations and sponsorships.

As you can see, my practice has afforded me a strong knowledge of the banking and, often, the community needs with respect to aboriginal issues—First Nations, Métis and Inuit communities—as well as public sector organizations.

As a childhood cancer survivor, I lost my left leg to cancer at the hip level. That inspired me, from a very young age, to give back through volunteerism. For the past 20-plus years, I've volunteered for various organizations across Canada, with considerable work undertaken with the War Amputations of Canada, Child Amputee Program, as well as with the Princess Margaret Cancer Foundation, specifically with the Ride to Conquer Cancer.

In 2012, I was the recipient of the Queen Elizabeth II Diamond Jubilee Award for my contributions to Canada through volunteerism, as nominated by the War Amps.

As a financial professional, I have demonstrated a very high level of commitment, dedication, sound judgment under pressure and the ability to manage multiple projects concurrently. In 2013, a former classmate of mine from Rotman introduced me to Andrea Cohen Barrack, the CEO of the Ontario Trillium Foundation. She thought that our leadership styles were similar and complementary, and hence proceeded to connect us as part of networking. At my first meeting with Andrea, I learned of opportunities on the board and I proceeded to apply online through the secretariat.

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I believe that my focus, my desire for learning and my innate interest in the work undertaken by OTF would enable a very strong contribution to the board. I'm pleased to share that I have just returned this week from maternity leave in a new leadership capacity within RBC within the financial planning business. In my new role, I will be responsible for the Toronto west region financial planning team.

In closing, I believe I bring considerable experience as a banking professional and as a volunteer who has been focused for a couple of decades now on positively impacting Canadian communities. My personal and professional experiences align very strongly with the core capabilities and objectives of the board, and it would be an honour to be appointed to the Ontario Trillium Foundation board to further this work. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much. MPP Dong.

Mr. Han Dong: I noticed your riding says Trinity–Spadina. That's a very familiar riding name for me as well. I'm quite privileged to represent that riding myself. I apologize for my voice.

Congratulations on the new addition to your family.

Ms. Chinyere Eni-McLean: Thank you.

Mr. Han Dong: I'm a young parent as well, so I know that can be challenging.

I want to just thank you for putting yourself forward, serving the public appointment. In this case, it's the Ontario Trillium Foundation, which is a very important organization. I think the budget exceeds \$1 billion every

year. It helps many, many organizations across the province, and I've attended the ceremonies of quite a few doing good work in Trinity–Spadina.

I want to wish you the best of luck, and thank you for putting your name forward.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much.

Mr. Jim McDonell: Thank you for coming out. Locally I've worked with—

The Acting Chair (Mrs. Marie-France Lalonde): Excuse me. Mr. McDonell, I apologize.

Ms. Hoggarth, you have a question?

Ms. Ann Hoggarth: There's some time?

The Acting Chair (Mrs. Marie-France Lalonde): Yes.

Ms. Ann Hoggarth: Yes, I just wanted to know if—welcome, and wow, you've got an amazing resumé. Congratulations on the new baby and on beating cancer. I'm also a cancer survivor.

Have you been given any indication about the time commitment with regard to this position, and are you willing to put forward the time to be involved in this?

Ms. Chinyere Eni-McLean: Yes, and that's a very important question. I am familiar with the quarterly nature of meetings and have reached out to the administration group to understand what commitment would be required. Really, that would be around 50 hours, so I'm very comfortable with that. I've actually taken some steps to reduce my volunteer efforts in a couple of different areas where I've been long-standing and can step back to make sure that I'll have the time necessary to dedicate to this work.

Ms. Ann Hoggarth: Thank you for your commitment.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much. Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out. I've had the privilege of working with a number of groups that have applied for Trillium, sometimes successfully, sometimes not. But they're very worthwhile projects. Have you had a chance to work with some of the organizations that you belong to on Trillium applications?

Ms. Chinyere Eni-McLean: Not yet. I haven't undertaken any work with Trillium, but I am familiar with how some of my favourite charities have applied, so I thought it would be very important to disclose the work that I have undertaken and to step back as needed to make sure there's no conflict of interest in any work that could be presented, probably specifically on the War Amps of Canada side.

Mr. Jim McDonell: Well, they certainly typically allow our small communities' organizations to upgrade their facilities, which they would not do otherwise if it weren't for the money.

In your role, you'll be critiquing, providing suggestions back, approving. Do you see your skills working well with the applications that come through?

Ms. Chinyere Eni-McLean: Definitely. I think it's important to bring strong rigour to reviewing the applications, making sure that timelines are respected,

and ultimately keeping primary the nature of the work that's undertaken by these groups. So making sure that there's due process would be really, really important to me.

Mr. Jim McDonell: One of the concerns: A lot of the groups typically may not have a lot of computer expertise, and there's that fear of making an application, so sometimes the board has to realize that a lot of these volunteers who are working—they're typically volunteers—a lot of the time are maxed out and trying to get that one person who will spend the time. The joy of application can be a challenge.

Many times it's the first time applying. Many times you hope that the Trillium group will acknowledge that sometimes they're less than professionals because they're limited in resources. The way it's set up, it's fairly easy to do that, but still most groups really have a problem getting somebody to actually take the time and to make the effort to put into an application because it's somewhat time-consuming. It's not that bad, but the second one certainly is a lot easier than the first one, that's for sure.

Ms. Chinyere Eni-McLean: Definitely. It can be overwhelming at times.

The Acting Chair (Mrs. Marie-France Lalonde): Ms. Thompson.

Ms. Lisa M. Thompson: I'm just curious—it's always a small world—do you know Gwen Paddock or Steve Merker?

Ms. Chinyere Eni-McLean: I do. Gwen is a colleague of mine and Steve Merker is the COO of the Ride to Conquer Cancer.

Ms. Lisa M. Thompson: Isn't that interesting?

Ms. Chinyere Eni-McLean: It's a small world.

Ms. Lisa M. Thompson: Yes. They belong in my world, too.

Ms. Chinyere Eni-McLean: Oh, wonderful.

Ms. Lisa M. Thompson: My question is around the timeline in which you've been engaged. When did you first apply and when did you get word that you were being considered?

Ms. Chinyere Eni-McLean: It's been a journey. I applied in 2013. I was advised at that time that it can take various amounts of time for applications to go through and to hear back. I unfortunately was missing the email address of the notary who completed my documents and so it was put back to the start line and I had to go through the process again.

That was unfortunate, so it took a little longer than perhaps some others, but that was the reason for the delay.

Ms. Lisa M. Thompson: When you started out the process, in your mind, how much time did you think would be involved? What would your expectation of a reasonable timeline be?

Ms. Chinyere Eni-McLean: A reasonable timeline: I was told that a year was customary, so I'd hoped that if I provided everything that I needed to, it would be within that year. It wasn't, and that was unfortunate, but I was

very, very interested. I'm very passionate about this type of work and so I stayed the course.

Ms. Lisa M. Thompson: I think we're glad you did.

Just for the record though: We have a vacancy in my riding and it's been well over three years—and volunteers are getting turned off. So if you ever have a chance to forward concerns, I think timelines and respecting volunteer expectations and availability of commitment need to be taken into consideration.

Ms. Chinyere Eni-McLean: Absolutely.

Ms. Lisa M. Thompson: Thank you for that.

Ms. Chinyere Eni-McLean: That's very important.

Ms. Lisa M. Thompson: I'll follow up with you after.

Ms. Chinyere Eni-McLean: Okay.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much. Mr. Gates.

Mr. Wayne Gates: Good afternoon. How are you?

Ms. Chinyere Eni-McLean: I'm well. How are you?

Mr. Wayne Gates: A couple of congratulations, actually.

Ms. Chinyere Eni-McLean: Thank you.

Mr. Wayne Gates: Congratulations on your new addition to the family

Ms. Chinyere Eni-McLean: I can see the green.

Mr. Wayne Gates: Yes, I can see how excited you are about that and I see that you were an Olympic torchbearer in Toronto in advance of the Winter Olympics in Vancouver.

Ms. Chinyere Eni-McLean: Yes, indeed.

Mr. Wayne Gates: Very nice. How did you enjoy that?

Ms. Chinyere Eni-McLean: It was actually more incredible than I thought. The day that I was supposed to do the route, right by the Eaton Centre, there was a Bollywood star that was in my group and as a result of the frenzy happening with young ladies, we were re-routed to SickKids. That was particularly touching for me, being a cancer survivor at a young age, and seeing all the young kids come out and look with surprise that the route had changed and that here were the torchbearers coming in to SickKids hospital. It ended up being one of the most memorable experiences for me.

Mr. Wayne Gates: Congratulations on that. It must have been a thrilling thing to have happen. I've said many times how much I enjoy sports, but ultimately I enjoy the torch being carried, in this case, across the country and the one that we just had now in the province of Ontario. It was all good stuff, so congratulations on that.

Ms. Chinyere Eni-McLean: Thank you.

Mr. Wayne Gates: Like my colleagues before me—this is a very important fund for a lot of organizations. I can tell you that in my area, whether it is with the Lions—I met with them not that long ago. Their roof is starting to cave in and they don't have the resources. There are other social groups that may need some upgrades in their kitchens, because they use their kitchens to raise funds to keep the organization going, and this

work that you're going to be doing is very, very important to those service groups.

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They have changed the process a little bit on how to do it. The application—I agree: If we could make it simpler, it would be great. But certainly, in my office, we'll sit down with them and help them do the application as well. I know that they're time-consuming, and it depends on staff, but if you could find a way to make it easier for the application, I think it would be helpful.

Ms. Chinyere Eni-McLean: Okay.

Mr. Wayne Gates: When you're talking about the 50 hours of volunteer community service, maybe RBC—I know they're very good corporate citizens. Maybe they'll release you—

Ms. Chinyere Eni-McLean: Maybe.

Mr. Wayne Gates: —to do that. You could say that your MPP mentioned that to you, that maybe RBC would do that for you—

Ms. Chinyere Eni-McLean: I will definitely do that.

Mr. Wayne Gates: —as their contribution to society.

Ms. Chinyere Eni-McLean: Yes.

Mr. Wayne Gates: I just wanted to say thanks very much for coming. I can tell that you're excited to do this. You've had a very fulfilling life, with someone new in your family, and you still want to do volunteering, so I want to say congratulations and thank you for coming today. Enjoy.

Ms. Chinyere Eni-McLean: Thank you so much.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Gates. That concludes the time allocated for this interview. We will consider concurrence at the end of the day. I want to say congratulations myself. Thank you very much for being here today.

Ms. Chinyere Eni-McLean: Thank you so much. Have a wonderful afternoon, everyone.

Mrs. Kathryn McGarry: One last question: a boy or a girl?

Ms. Chinyere Eni-McLean: A little boy.

The Acting Chair (Mrs. Marie-France Lalonde): Excellent.

MR. CARL ZEHR

Review of intended appointment, selected by third party: Carl Zehr, intended appointee as member, Metrolinx.

The Acting Chair (Mrs. Marie-France Lalonde): I would like to invite our next intended appointee, Mr. Carl Zehr, nominated as member for Metrolinx.

Mr. Carl Zehr: Good afternoon.

The Acting Chair (Mrs. Marie-France Lalonde): Good afternoon, and welcome. Thank you for being here today. You may begin with a brief statement. A member of each party will then have 10 minutes to ask you questions.

You may definitely serve yourself some water. That's great initiative.

Any time used during your statement will be deducted from the government's time for questions. You may begin now. Thank you.

Mr. Carl Zehr: Thank you very much, and good afternoon, everyone. I'm pleased to appear before the committee today to present my background and experience for your consideration of my application to become a member of the Metrolinx board of directors. Thank you.

Professionally, I am a chartered professional accountant with a wide variety of experience in both the private and public sectors. After being an employee for several years, I joined with two other CGAs in setting up a private accounting practice in 1981.

I was elected as a councillor in the city of Kitchener in 1985, serving three terms, including two terms as a councillor on the Waterloo region council as well. That ended in 1994.

In 1997, many people convinced me to run for mayor, as Kitchener's mayor, and I'm so glad I did. At the end of November last year, I completed 17 years as mayor, in addition to 17 additional years as the Waterloo region councillor.

During those years, I was a member of Canada's Big City Mayors' Caucus and served as its chair for three terms, as well as a chair of the Large Urban Mayors' Caucus in Ontario.

As mayor, I took a leadership role in creating Kitchener's \$110-million economic development fund. This fund was the catalyst in broadening the economic base of our city and of our region to include innovative technology, education and the health science sectors.

I was a leader and a principal advocate on the Waterloo region council to develop and approve the \$818-million LRT project that broke ground in August of this past year, with the plan for trains to be operating in 2017.

I also took a leadership role in the successful advocacy with the province and Metrolinx to initiate GO rail service to Waterloo region, and Kitchener specifically.

I was an advocate for the Kitchener and Waterloo region councils to make a clear distinction between governance and management roles, which allowed the political bodies to deal with policies, long-term vision and planning while leaving the administration to do their jobs. Today, as part of my interest in that, I am currently the co-chair of the southwestern Ontario chapter of the Institute of Corporate Directors.

I chose to apply for a director position on the Metrolinx board for four reasons:

(1) I believe strongly that the future of transportation, and specifically transit, in the GTA and surrounding municipalities needs to be planned and implemented in a coordinated manner.

(2) A sound transportation network is absolutely essential to support a vibrant economy for Ontario and Canada.

(3) Metrolinx has a solid track record of delivering reliable transit services.

(4) The Metrolinx board needs to reflect a broad spectrum of skills, community engagement, business experience, geographic representation and governance knowledge.

As a result of my varied background and—I try to say it modestly—success in the public realm, I believe I can bring a unique perspective of accountability and credibility to the Metrolinx board.

Thank you, and I look forward to your questions.

The Acting Chair (Mrs. Marie-France Lalonde):

Thank you, Mr. Zehr, and I would like to invite Mr. McDonell—

Mr. Jim McDonell: Thank you for coming out today to our committee. Your experience with Metrolinx—have you had much experience in the past with it, other than being the occasional user, I'm sure?

Mr. Carl Zehr: My experience directly with Metrolinx has been limited up until this past year, when I was asked—as a guest, pending the outcome of this process—to attend some of those meetings.

I was certainly aware of the original makeup of the board, which included political people, and then it made a major change to have it for lay people. I think this was a wise move. I look back to our own community, the region of Waterloo, which—Canada's technology triangle was an economic development arm for our area. In the first while, boards included the mayors of the three cities and one of the townships, and I saw after a while that it became a little bit too political. I actually suggested that we step down and our CAOs would go on there. So I think that's one of the comments that I was talking about earlier, about governance and the division of those responsibilities. I think it's absolutely critical, and that's the way Metrolinx is today.

In terms of its services, I was certainly aware of it and, in the last five to seven years, probably, very involved with discussions in terms of trying to get that service, the rail service—first, bus, and secondly, rail—into the region of Waterloo.

Mr. Jim McDonell: While Metrolinx has to have a strong mandate or focus on integrating transit in the region, how do you see Metrolinx evolving over the next 10 years?

Mr. Carl Zehr: I think and I hope that it will continue to mature in the sense of coordinating those roles with the municipalities and the individual services that are in the cities or regions, along with the service that is directly provided by Metrolinx.

I think that in order to do that, there has to be a continuous relationship established between the municipalities or those transit services and Metrolinx. I see that happening already to a great extent, and I think that in order for it to be successful, it has to continue to do two things: provide good service, and have that direct communication in the planning stages—not just in the implementation part of the transit services, but in the planning stage.

Mr. Jim McDonell: Sure. The Kitchener light rail project, of course, is something that you might be or

should be very familiar with. Can you tell us about your experience with it?

Mr. Carl Zehr: Probably around the year 2000, I'm going to suggest, I remember the then CAO of the region of Waterloo asking me to come in. We were going to be talking about some new transit service. From that very first moment, I, in terms of the concept of having a rail system that was fixed, could actually then have two roles to play. One was obviously providing a higher order of transit service, and, secondly, it became a planning tool.

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Those are the two messages that we kept talking about consistently from the region of Waterloo council in terms of—and I was a strong supporter of the project—to make sure that this was something that needed to be done now. If we didn't do it now, we would, like some municipalities, miss the boat in terms of the opportunity—space-wise to actually put it in; cost-wise as well, and have to eventually deal with it but then be up against the process of either expanding roadways, which again took space which we didn't have or wouldn't have, or with rail. Rail obviously can move more people more quickly than the automobile.

The Acting Chair (Mrs. Marie-France Lalonde): Ms. Thompson.

Ms. Lisa M. Thompson: Thanks, Chair. In the description for Metrolinx, our research shows that, and I'm going to quote this: "Metrolinx acts on behalf of Ontario municipalities as a central procurement agency for the procurement of local transit system vehicles, equipment, technologies and related supplies and services." So, again, Metrolinx acts on behalf of Ontario municipalities. We currently, right now, have a colleague who has tried three times, very honourably, to introduce an initiative on the floor of the House whereby all 444 municipalities in Ontario would benefit from Ontario's gas tax. You take a look and think forward to your role on the board of Metrolinx: How do you balance the needs between rural and urban Ontario?

Mr. Carl Zehr: I think you'd have to go back to, in addition to the statement that you've just quoted from, the mandate of Metrolinx, which is for the geographic area, the Metrolinx service area. Currently, except for the spines that run through some rural areas, it is specifically an urban transit policy. Until that mandate—the overall mandate—changes, I think that would be something that could be looked at down the road, but I think one would have to take some baby steps toward that, because obviously with mass transit, the issue is density of population and therefore the ridership, and so that would take a significant amount of time.

I think, using the example of Waterloo region, there are two phases for the LRT going in in Kitchener, Waterloo and Cambridge. The first phase for rail is in Kitchener and Waterloo. The second phase, which is now being worked on, is in the city of Cambridge, although it's adaptive rapid bus at this point in time. So we've had to work at getting the ridership up in traditional transit in the city of Cambridge to make it worthwhile to do all of

the entire system via rail. So I think it's the same kind of example that I would give for other, rural areas outside of the—

Ms. Lisa M. Thompson: I thank you for your appreciation of that, and I look forward to hopefully seeing baby steps taken, because as more people move to rural Ontario with the concept that it's perhaps a little bit more affordable—their money goes a little bit further in terms of housing and things like that—they get handcuffed because they get there and they don't have the transit system that they maybe had depended upon.

Mr. Carl Zehr: True. I would just add that that becomes a policy matter, which is not necessarily the role of Metrolinx. Metrolinx is an implementer of government policy and is responsible to the Ministry of Transportation. It would take something from the provincial level in order to change that mandate.

Ms. Lisa M. Thompson: Well done. You have a good grasp of the whole situation.

Mr. Carl Zehr: Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Ms. Thompson. Mr. Gates.

Mr. Wayne Gates: Good afternoon, sir. How are you? I actually shop at Zehrs, so your name is pretty easy for me.

Mr. Carl Zehr: All right, thank you.

Mr. Wayne Gates: Just thought I'd put that out there.

I see on my notes here that you're a former mayor of Kitchener.

Mr. Carl Zehr: Yes.

Mr. Wayne Gates: There have been a lot of questions around two-way, all-day GO service to that community.

Mr. Carl Zehr: Yes.

Mr. Wayne Gates: Could you elaborate on that and the kinds of benefits, whether it be economic benefits, if that happens?

Mr. Carl Zehr: Our community, along with Kitchener, Waterloo and Cambridge, to some extent—I'll come back to that in a moment. Kitchener, Waterloo, Guelph, Brampton and everywhere along that corridor—what was called the Georgetown line at that point in time—put forward a business case to the province and to the Ministry of Transportation. It was based on economic growth and the capacity that would be generated from a transit standpoint on that north main line, as we call it.

At the time—and I'm going to be a little, perhaps, fuzzy on the dollar figures, but it was something like \$600 million to implement that and to make the necessary changes. The business case, when it was at steady state, which would be, I think it was 15 to 17 years, was going to produce about \$560 million in additional income tax—just income tax alone, without any spinoffs—that would be created by the number of jobs. I believe it was an additional 38,000 jobs that would be created in that period of time.

It is important to have that business case. That's how I believe that the province—both the Premier and the Minister of Transportation of the day—saw that and made the commitments. The 10 years was for the ultim-

ate goal of two-way, all-day service. That's not there now. I understand, and I understand even more so today because of the complexity of making that happen, that it's something that will not happen overnight.

In terms of the comment about Cambridge, Cambridge also has, along with the region of Waterloo, implemented a case put forward to the ministry for GO rail service rush-hour trains. That is a separate and slightly different case that has been put forward—equally as important.

Mr. Wayne Gates: When you say that, was that from when you met with your CEO, that business case?

Mr. Carl Zehr: No.

Mr. Wayne Gates: Has there been one since?

Mr. Carl Zehr: Much more recent.

Mr. Wayne Gates: When were you mayor?

Mr. Carl Zehr: I was mayor from 1997 to 2014. The business case was presented, I believe it was, in November of 2013. We met with a variety of ministers and the Premier in making that presentation.

Mr. Wayne Gates: Do you believe that two-way, all-day GO service to Kitchener, Waterloo, Cambridge, that area—because obviously there's a need for it to come to Toronto for work as well—

Mr. Carl Zehr: And both ways.

Mr. Wayne Gates: Both ways, yes. It's two-way. You're obviously going to be, if you end up getting appointed to the board—there may be a good chance of that, sir, just how I watch things work. Do you believe today, now that you're not mayor, that that is something that that area needs today?

Mr. Carl Zehr: I believe it needs it, and the sooner, the better. In particular, one of the new trains is to be added within the next year, I believe it is—in the rush hour, there are two new trains. It would be perfect, in a perfect world, to have one of them from the GTA through to the Waterloo region instead of vice versa. But I'm learning, as I said earlier, the complexity of making those things happen. In this particular case, it's not just a matter of a desire to do it; there are physical things that need to be accomplished. Specifically, it is the ownership of some of the rail lines, that being CN and CP. Metrolinx has purchased a major portion of the line from, I believe it is, Georgetown through to the region of Waterloo, and has some maintenance facility that they're building there now. But there is a small piece of it still in the west end of Toronto that is owned by CN and CP. Those need to be dealt with first. So it's complicated not just within that line, because it is also the south line then that would go through to Cambridge, but also potentially into picking up south central Ontario.

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Mr. Wayne Gates: So obviously, as the mayor, this is a file that you were very active on, and one that the residents of Kitchener and the surrounding areas understood very clearly, like I do, and I'll talk about my community situation in a second.

In a province that desperately needs jobs, we're talking about 38,000 jobs that could be the result of this, and another \$560 million just in income tax. The

economic spinoff from two-way, all-day GO service to Kitchener for that part of our province is incredible, quite frankly, and something that should be done as quickly as possible. I just wanted to say that.

In Niagara, we're trying to do the same type of thing, where we want GO down to Niagara as well, all the way to Niagara Falls. In particular, we have 14 million tourists come to Niagara Falls. In Niagara-on-the-Lake, believe me, it's incredible, what's going on now, particularly with the dollar. You're a pretty sharp guy. You understand the effect of the dollar on Americans coming back.

Mr. Carl Zehr: Sure.

Mr. Wayne Gates: We have to get this stuff done, because in our situation, it's the same thing. It's about jobs and our economy. I understand the importance of Toronto and why they're doing that, but there's a whole other part of the province, including rural Ontario, that really could be a driver with two-way GO services.

Having said that, have you ever run for a party?

Mr. Carl Zehr: I beg your pardon?

Mr. Wayne Gates: Have you ever run for a party?

Mr. Carl Zehr: Yes, I did, in 1990.

Mr. Wayne Gates: In?

Mr. Carl Zehr: At that time, it was the Kitchener-Wilmot riding.

Mr. Wayne Gates: Okay. Can you say which party?

Mr. Carl Zehr: Sure. It was with the Liberal Party.

Mr. Wayne Gates: The Liberal Party.

Mr. Carl Zehr: Yes.

Mr. Wayne Gates: And then you ran to become mayor?

Mr. Carl Zehr: I was a councillor at the time.

Mr. Wayne Gates: Oh, good.

Mr. Carl Zehr: In fact, while I was disappointed the night of that election, the next day I went back to my accounting practice and I said, "Phew, that was close."

Mr. Wayne Gates: Well, actually, these jobs are pretty good, quite frankly.

Mr. Carl Zehr: I know they are—

Mr. Wayne Gates: I was a city councillor, too.

Mr. Carl Zehr: —but I was also very pleased to have gone on to ultimately become mayor.

I would like to just add to your point about Niagara and all of these things. Again, Metrolinx is an implementer of provincial policy, and it comes down to the timing. It comes down to the physical ability to do so.

Mr. Wayne Gates: I'm aware of that. We put in a business case, and all that stuff is being done by the leadership in Niagara at all levels of government, which is unheard of in our area. If you've been a mayor, you can respect that—

Mr. Carl Zehr: I certainly do.

Mr. Wayne Gates: —sometimes it's tough to get all communities on the same page.

The other thing I thought was interesting was that you've already attended meetings as a guest.

Mr. Carl Zehr: As a guest.

Mr. Wayne Gates: There are two parts to it. Is it just board meetings, or is it other meetings? I know Metrolinx had a meeting in Oakville, I believe it was, with a number of other stakeholders as well.

Mr. Carl Zehr: I was not part of that, no.

Mr. Wayne Gates: You were not part of that one? Okay. So they're just board meetings that you've gone to?

Mr. Carl Zehr: Yes.

Mr. Wayne Gates: Okay. I appreciate your input on Kitchener-Waterloo and, to a lesser extent, your knowledge around Niagara. But I'm a firm believer that the economic drivers of these opportunities certainly should be looked at, and the benefits, just in tax dollars, are incredible.

Thank you very much for being here. It was my pleasure.

Mr. Carl Zehr: Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Gates. Mrs. McGarry?

Mrs. Kathryn McGarry: Thank you very much, Mr. Zehr. It's good to see you again.

Mr. Carl Zehr: Thank you.

Mrs. Kathryn McGarry: I certainly appreciate a lot of your comments, and I think you've been far too humble about yourself. I think, as a long-time resident of Waterloo region, I can speak to the fact that you've been very well regarded in the amount of effort that you've put into making sure that Waterloo region is a successful region, so thank you very much.

Mr. Carl Zehr: Thank you.

Mrs. Kathryn McGarry: Really, along that line, I know that as a mayor of a city that's in a two-tier government, it may have been easy to look at only transit in and around the borders of Kitchener when you were mayor. But it seems to me that you've got a much bigger overview that would speak to the fact that—and I'll get you to respond to this—it seems to me that you see transportation in a much broader context and a more regional view, not just a train here or a train there, a bus here or a bus there. Could you speak to your thoughts on how you see a good transit system, a multi-modal transit system, involving trains in our area?

Mr. Carl Zehr: Well, first of all, in the smaller context within the region of Waterloo that I was familiar with, it was the region that has responsibility, and still does today, for transit. It's not the individual cities. But as a mayor of a city, one also sits on the regional council and therefore has the responsibility to help guide that.

I always saw Grand River Transit, which is the region of Waterloo, to be something that needs to serve all of the community. In the same way, I think it's important for Metrolinx—and that's why I made a comment in my presentation—to have these planning initiatives done not only for the GTHA but for the surrounding municipalities.

You could pick a number out of the air in terms of the number of years from now. In five, 10 or 20 years from now, or 50 years from now, we will be much closer

together physically as communities, and therefore you can't wait until that time to have that master plan done. That's why it's important at the front end to make sure that planning is done on a consolidated basis. It may not be developed that way for quite a number of years, but you have to do that at the front end in order to not waste dollars and to not present some expectations to the public that you won't be able to deliver on.

Mrs. Kathryn McGarry: I appreciate that. When it comes to the Big Move, the regional transportation plan is addressing a number of different issues right now. One would be funding in the next 10, 20 or 30 years. Another would be electrification of the line. I know that we've been looking at getting the north Kitchener line electrified, but again, as you mentioned, CN-CP track ownership is still an issue in order to be able to bring that electrification in. Considering you may be successful at sitting on it, how would you address some of those conversations with CN-CP as a member of the Metrolinx board?

Mr. Carl Zehr: I'm aware that discussions have been ongoing with CN and CP and Metrolinx, but they also include the provincial Ministry of Transportation and perhaps even the federal government, because CN-CP regulations are controlled at the federal level. There are a lot of players to come together. No doubt there will be a lot of dollars that will have to be expended in order to free up those lines for people transportation as opposed to goods transportation.

Your question specifically is what I would do. I would be encouraging Metrolinx to do everything they possibly can, keep the lines of communication open with the provincial Ministry of Transportation as well as the transportation department at the federal level, in order to get those things resolved as soon as possible. I think the window is rather small in order to get that resolved because so much of the 10-year plan, the Big Move, is predicated on a successful transition of those lines.

Mrs. Kathryn McGarry: Thank you. Metrolinx, as you know, serves a huge area of southern Ontario, stretching from Durham to Kitchener and out to Hamilton. How do you feel that your experience and your background will help benefit you to see all of the territory that Metrolinx covers?

Mr. Carl Zehr: One of the other comments that I did make earlier was that I felt that the Metrolinx board should have representation on a geographic basis as well as those other attributes. That's why I made that comment. As I understand it, I would be the only person from outside of the GTHA who would be sitting on the Metrolinx board. Not that I'm going to be totally knowledgeable of what's happening in Niagara, what's happening in Durham and what happens in Hamilton, but it's important to have that other perspective brought to the table when those implementing policies are being put forward.

Mrs. Kathryn McGarry: Thank you. I appreciate your knowledge of the situation and again, I really want to thank you for the years that you've served as mayor

and the fact that you have really been a strong voice in making sure that Waterloo region did get the GO line—

The Acting Chair (Mrs. Marie-France Lalonde): Excusez-moi.

Mrs. Kathryn McGarry: Thank you.

Mr. Carl Zehr: Thank you very much.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you. Perfect timing.

That concludes the time allocated for this interview. We will consider concurrence at the end of the day. I thank you very much for your time.

Mr. Carl Zehr: Thank you. It's a privilege.

The Acting Chair (Mrs. Marie-France Lalonde): You may step down. Thank you.

Mr. Wayne Gates: Can we take five minutes?

The Acting Chair (Mrs. Marie-France Lalonde): Pardon me?

Mr. Wayne Gates: Can we have a recess of five minutes?

The Acting Chair (Mrs. Marie-France Lalonde): You would like a recess?

Interjection.

The Acting Chair (Mrs. Marie-France Lalonde): Do we agree on a recess for five minutes? Recessed.

The committee recessed from 1500 to 1507.

The Acting Chair (Mrs. Marie-France Lalonde): I would like to invite the members. We will be resuming.

MR. DAVID De ABREU

Review of intended appointment, selected by official opposition party: David De Abreu, intended appointee as member, Royal Ontario Museum.

The Acting Chair (Mrs. Marie-France Lalonde): Our next intended appointee today is Mr. David De Abreu. I would like you to join us at the table.

Welcome, and thank you very much for being here. You may begin with a brief statement. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions.

You may begin now.

Mr. David De Abreu: Thank you, Madam Chairman. Good afternoon, ladies and gentlemen. Thank you very much for taking the time to give me an opportunity to appear before the board.

I put myself forward for this nomination about six months ago, after having a conversation with a friend of mine who mentioned that there was an opportunity to sit on the board of trustees at the ROM. Throughout my career and my life I have volunteered, whether it's coaching or working with United Way, and I have spent a lot of time outside of the community and outside of my day jobs doing other things within the community.

Why I picked the ROM is for a couple of reasons. Number one: I think that it's one of the many places in Toronto, in Ontario, that we can hold as a place where we can send our children to. They can go online and look at it. But also, it's got a lot of history. It's got a lot of

history that we tend to look at today as—I call it the YouTube generation. They spend a lot of their time on YouTube, but if they actually go and play with the things, they'll enjoy them.

So I put myself forward. I have a background—I guess you have my resumé in front of you—in IT, I've been in finance, I've been in a few places. When I spoke at the time with Janet and Bonnie, we talked about what that would potentially look like for the future. After talking with them, I came forward and decided that this is something I would really like to spend some time volunteering and working on, looking at what the next generation needs to do at the ROM and how we can make it a better place for everybody to go and enjoy themselves. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much. I would like to invite Mr. Gates.

Mr. Wayne Gates: Thank you. Good afternoon, sir.

Mr. David De Abreu: Good afternoon.

Mr. Wayne Gates: How are you?

Mr. David De Abreu: I'm very well, thank you.

Mr. Wayne Gates: Good.

What motivated you to seek this appointment?

Mr. David De Abreu: My kids are all older now, sir, and I spent the last 10 years spending my time coaching soccer. I lived in Newmarket at the time. I've always been involved in volunteering.

I work for Rogers right now; I used to work for a company, Cisco, that talked about investing in where you work, live, play and learn and spending more time in the communities where you work, live, play and learn. For me, this is something that somebody mentioned to me. They knew Bonnie from another area of business and they mentioned this to me. I have a few other people I've worked with who have done some volunteer work with the Ontario Science Centre and other places like that. So this, to me, was a good opportunity to look at something that I could spend my extra time on and hopefully add some value to the trustee board there.

Mr. Wayne Gates: Cisco Systems: What did you do there and what is it?

Mr. David De Abreu: Cisco Systems: Cisco is a provider of Internet technology, but also telephony, video and software. The vision is to change the way we all live, work, play and learn through the use of the Internet and technologies that are available today. I spent 15 years there. I did a lot of jobs in my 15 years. My most recent job was running the partners and channels organization there, working through various organizations in order to get them to sell Cisco solutions and products into the marketplace up and down the stack, from a small business all the way up to the public sector: large government, large enterprise—all across the board there.

Mr. Wayne Gates: Did you have any contracts with large government?

Mr. David De Abreu: Yes, Cisco does have contracts with—

Mr. Wayne Gates: Can you give me some examples of those?

Mr. David De Abreu: A lot of the work we did was through partners, but Cisco Canada did sign a jobs deal with the province of Ontario—I'm going to say a year ago, maybe two years ago—to invest in jobs in the province of Ontario, particularly in the Ottawa area, where there's a research facility. We have about 500 people now. At the time, the attempt was to get Cisco corporate to invest in 5,000 jobs in Canada and bring that IT specialization into Canada, closer to home. As you know, in a lot of cases, it's offshore. Closer to home, there's a very good IT background with the schools there and the development centre we already have there. So there was a push on for that.

Mr. Wayne Gates: So the idea was to get 5,000 jobs in the province of Ontario? How many did we realize?

Mr. David De Abreu: I think it's at 500 now. I don't know the timeline. As I say, I've been out of there for about six, eight months now, so I don't know where the timeline is on that one.

Mr. Wayne Gates: Would you know how much the contract was worth?

Mr. David De Abreu: It's a pay-as-you-play arrangement, so no jobs, no pay from the government. My understanding from the deal—I wasn't involved directly in it—was that as the jobs got put into the province, then the province would contribute. No jobs, no contribution from the province.

Mr. Wayne Gates: So very little cost has gone to the province now, then.

Mr. David De Abreu: My understanding is, that's exactly how it was set up.

Mr. Wayne Gates: Okay. You may or may not be aware of this, sir; I don't know. In 2009, long before I got here, the Standing Committee on Government Agencies conducted an agency review of the ROM. Some of it was to try to drive more people to the museum. They lowered the prices, they did some of those things, but there has been a lot of talk around how the Ontario taxpayers have assumed the debt of the ROM, initially owned by CIBC, and filled a \$23-million void left by donors—all of which were given substantial recognition for their pledges. A decade later it remains outstanding.

This was an article that was in the Globe and Mail and it's in my notes, so it must be factual. Anything you read in the paper is always factual.

Mr. David De Abreu: Just like everything on the Internet is factual.

Mr. Wayne Gates: But the article states that under the 2011 debt restructuring deal, the ROM will owe the province \$29.6 million during the period 2023 to 2027 for their debt obligations. I was just wondering if you were aware of that.

Mr. David De Abreu: Yes, sir. I read the same article as you, and that's how I became aware of it. Obviously, I've been reading up on the ROM.

The board of trustees, from my understanding of what goes on there, is different than the board of governors and the fundraising side—philanthropic. The board of trustees is entrusted with the day-to-day operations of the

ROM, and there's a board of governors that takes care of the philanthropic side.

All I understand from that, frankly, is what was in that article. I read the article as well as you did.

Mr. Wayne Gates: Okay, I appreciate that.

What contribution do you hope to make at the board of the Royal Ontario Museum?

Mr. David De Abreu: I'm hoping that combining with the other board members, I can bring an IT background to it. As I said, I've spent the last 15 years in IT. I worked for one of the leading companies. I now work for another leading company in Canada, Rogers, and I hope there's an opportunity to involve Rogers in that. But I look at it from the perspective of: How do you address the YouTube generation, the next generation of kids that you want to get in to touch, feel and deal with the ROM on a daily basis or on a regular basis? I look at it from the perspective of not just getting them into the ROM, but how do you get them to virtually enjoy the ROM, and after they see it virtually, how do we get them to want to come to the ROM and want to do it?

From my perspective, I think we take the ROM for granted. When you talk to people who come into the city from outside of the province or outside of the city, that's one of the places they go. They go to the Science Centre, they go to the ROM, maybe they get a Blue Jays game and now they go to Ripley's. There are a lot of things. One of the many things, when you talk to people who come from outside of the province or outside of the city, even—the ROM is one of the places they want to go, absolutely.

Mr. Wayne Gates: Are you a ROM member?

Mr. David De Abreu: Am I a ROM member? No, not at the time.

Mr. Wayne Gates: Not now.

Mr. David De Abreu: Not now, no.

Mr. Wayne Gates: But you're certainly going to be shortly.

Mr. David De Abreu: Depending on if you guys approve me or not, yes.

Mr. Wayne Gates: I'm just throwing it out there; that's all.

Mr. David De Abreu: I've been to the ROM many times. My sons are avid dinosaur—they're all older now. We spent a lot of time at the ROM enjoying it. Becoming a member of the ROM is not an issue.

Mr. Wayne Gates: The other thing is, obviously, there's a time commitment. I think you've actually answered a little bit of that. Kids grow up, they move out of the house and do some other stuff—

Mr. David De Abreu: They don't move out of the house, but they grow up.

Mr. Wayne Gates: A lot of times, they move out and then move back in. That's a whole other story. We have a lot of our kids in the basements, that's for sure.

So the time commitment won't be an issue for sure?

Mr. David De Abreu: No. No, I'm not concerned about that. They meet quarterly at the ROM. I'm not con-

cerned about that. It's just a matter of setting up my schedule around that.

Mr. Wayne Gates: And challenges facing the ROM?

Mr. David De Abreu: I think it's definitely—you talked about the financial side of it, but also, how do you make it so that people want to go there and people want to spend a lot more time there? In my going through the ROM, there are a ton of great things going on there. They do a lot of great things with the schools and everything. How do we get more schools to bring more of their kids to the ROM and spend more time there? I know that that's sometimes a challenge financially for the schools, to fund that and other things, so what are things we can be creative with? What are some of the other ways we can do it? Today, we do remote video to various aspects. We do remote learning. Can you set up remote learning capabilities and things like that for the ROM?

So there are the same challenges that everything has today. When I say that, I mean it from the perspective—there are so many opportunities for young people in general to go on an iPad or an iPhone, go through Google and find out all the information they want. There are not many arguments in the school yard anymore because they all pull their phones out, they punch it into Google and they come up with an answer. That's the kind of thing we have to figure out: how to get more people into understanding, coming and engaging in that part of it.

Mr. Wayne Gates: Well, I can tell you we get a lot of visitors here at Queen's Park. If you could get the schools to include the ROM in their visit to Toronto—because a lot of them come from outside of the area. They come to Queen's Park; they stay a couple of days. Maybe talking to the educators in the province on how important it is to support the ROM—that might be one way that you could look at it. Just a suggestion when you get on the board.

Mr. David De Abreu: Thank you.

Mr. Wayne Gates: My pleasure. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Gates. I would like to invite Mr. Dhillon.
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Mr. Vic Dhillon: Thank you very much, Chair.

Thank you for appearing before the committee today. How do you envision, in your own individual way, the future of the ROM?

Mr. David De Abreu: It's a good question. I think it's a multimedia ROM. I would equate it to being a multimedia ROM, so that is video-capable and touch-capable but having access to the ROM almost 24/7: information about the ROM, going to see the ROM, having that capability that you can access at any time, and access the information at any time on some of the things they have.

My understanding from meeting with the people is that there's a ton of stuff in the backroom. There's a ton of stuff, and they just don't have the footprint to show it. How do we then enable people to see all those things that they have got accumulated, and how do you put those out there for people to have a look at?

Mr. Vic Dhillon: What is your personal interest in serving the ROM? Have you spoken to the chair or others in terms of what's involved, in terms of your personal commitment?

Mr. David De Abreu: When I first looked at it, I talked to Janet Carding at the time, who was on the ROM board. I went and talked to her about what she was looking for and what kinds of things she was looking for. I spent some time with her. Then I met with Bonnie Brooks, who is the current chair of the trustee organization, and talked to her about what she was looking for and what the rest of the trustees were looking for, to try and help the ROM out and make it, as Mr. Gates said, a stopover for everybody that they go see. But also, how do you then move it into the digital age, move more of it into the digital age? When I talked to both of them, their comment was, "Yes, we need to look at that. We'd like you to apply to be on the board."

Mr. Vic Dhillon: Okay. Thank you very much.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Dhillon.

Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out today. As you said, I think it was Mr. Gates who mentioned that there has been some negative press around the ROM, about some of their pledges.

A lot of their revenue comes from pledges from large organizations. Through your experience in sales, is there some way of ensuring that they actually come to fruition, especially after there's credit given out?

Mr. David De Abreu: Again, those two committees are separate. I think that when you look at it from a fundraising perspective—I've been to a couple of fundraising events at the ROM. It's very much about getting corporate sponsorship from the big players, whether it's Rogers, Telus, Bell, Royal Bank and all the others, and then from other environments, that they can come up and actually invest in the future of the ROM. It's something that has been around for a hundred and—I forget the number of years—and we don't want it to go away. We also, in talking to Janet and Bonnie, don't want it to be a burden on the taxpayers either. How do you then get corporate social responsibility and corporate sponsors in to working with the ROM and looking at what you can do from a sponsorship capability and also from an ongoing funding capability?

Mr. Jim McDonell: You have vast experience. What do you see bringing to the board?

Mr. David De Abreu: What I talked about, from an understanding—especially the last 15 years—about how the world has changed dramatically from a world where you didn't have a lot of information to now, when you have all the information you could ever want at your fingertips, in your pocket or wherever, and then also the ability, frankly, that we can do videos and do person-to-person discussions on a cellphone that's more powerful than the first spacecraft that landed on the moon. So those are the kinds of things that, as this gets bigger and bigger and we do them more and more—we have to

become more creative at looking at what the other options are for that.

Based on my history with that and where I am now, it would be a good opportunity to look at some of those capabilities that are available today.

Mr. Jim McDonell: Okay.

Ms. Lisa M. Thompson: Thank you very much for your interest and coming forward to assist with the ROM, because it is a valuable tool. I know that members of my family do go to the ROM every time they come into Toronto. I haven't seen Pompeii yet. It's going to go soon, but I hope to get there before it leaves us. I have a little while to get there, though.

In the world of fundraising, when dollars are getting tight and tighter, what's your secret? What's your recipe for successfully engaging that corporate social responsibility in terms of enhancing the board's position and recouping some of that debt that has built up?

Mr. David De Abreu: Again, this is the trustee side of it.

Ms. Lisa M. Thompson: Okay.

Mr. David De Abreu: There's a separate board that deals with—we're going to go through there again—fundraising; there's a separate board that goes on the fundraising side. This is more the operations of the ROM side. They've separated the two very clearly. In the documentation I've received, one takes care of fundraising, philanthropic—I'm going to get it eventually—

Ms. Lisa M. Thompson: Philanthropic.

Mr. David De Abreu: Philanthropic—and then the other side, what I'm looking at, is very much geared toward the operations of the ROM and getting it moving forward.

Ms. Lisa M. Thompson: But don't you see the two coming together at all? It kind of concerns me a little bit that there's two—we're hearing this afternoon about two separate silos, and maybe that's in part the problem, where one hand didn't know what the other hand was doing.

Mr. David De Abreu: You know, without going and spending some time digging into it, all I really know about it is what I read in the same article in the Globe.

Is there a secret recipe? No. There is a corporate social responsibility about being involved in the community where you live, play, work and learn. That's where you try to get our big and not-so-big companies to participate in helping out with that.

Ms. Lisa M. Thompson: And actually, right there, that's what I was looking for. It's that mindset, the play, work and live. That's what I was hoping you'd say in terms of that special recipe that you're bringing from your previous experience that will help people adjust their mindset, think outside of their corporate world and think of the community around us as well.

Mr. David De Abreu: I think there's lots of opportunity to leverage those kinds of things. I haven't been involved as yet, and so I look forward to the opportunity to help that and participate in that as we go forward.

Ms. Lisa M. Thompson: Very good. Thank you.

Mr. David De Abreu: Thank you.

Ms. Lisa M. Thompson: I think you'll be an added addition.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Ms. Thompson. Mr. De Abreu, thank you very much. That concludes the time allocated for this interview. We will consider concurrence at the end of the day. I want to thank you very much for your participation today. You may step down.

Mr. David De Abreu: Thank you very much.

MR. WAYNE DESORMEAUX

Review of intended appointment, selected by official opposition party: Wayne Desormeaux, intended appointee as member, Leeds, Grenville and Lanark District Health Unit board.

The Acting Chair (Mrs. Marie-France Lalonde): I would like to invite Mr. Wayne Desormeaux to the table, please.

Bonjour. Welcome.

Mr. Wayne Desormeaux: Hello. Good afternoon.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much for being here. You may begin with a brief statement. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions.

You may begin now.

Mr. Wayne Desormeaux: Thank you. My decision to apply for a directorship on the board of health was an easy one as I've been interested in the role that it plays towards the benefit of the residents in the community.

I graduated from Ryerson in 1971 with a diploma in public health, which is now a four-year graduate degree course. I entered the general program at the city of Ottawa health department in the environmental field and began inspecting septic tanks, wells and approvals at that time, which was the most important issue. I continued my ongoing education by attending Algonquin College, taking courses in occupational health and industrial hygiene, with the interest of possibly moving into that field later on. But as it turned out, I stayed where I was.

By the early 1980s, I moved into the food inspection program along with joining our STD, which is our sexually transmittal outreach team. As a provincial enforcement officer, I served orders and summonses on delinquent clients, which proved to be very challenging at times, especially with the public awareness of HIV coming aboard in the 1980s.

I was very active in sports as well. I was voted onto the board of directors for Twin Elm Rugby Park, located in Richmond, Ontario on the outskirts of Ottawa. The challenges were enormous as four local clubs—myself being the president of one of the clubs prior to my appointment to the board—ran a not-for-profit facility with five fields, 16 change rooms, a stadium and food and beverage facilities, all of which I was responsible for.

Over the years we hosted many internationals. You may have heard of one: Canada just played the USA two

weeks ago at our park, which is pretty exciting. We've hosted countries such as France, England, Fiji and so on. I was the lead in applying for the first Ontario Trillium grant and was successful in that endeavour, which has gone on to help all sports facilities in Ottawa.

I also attended numerous coaching and refereeing classes and began coaching in high schools. I'm presently coaching in North Grenville high school in Kemptville, going into my third season. I've received numerous acknowledgements from the rugby community.

In the late 1980s, I was acting manager at the health unit for approximately six months, but realized my work was in the field. I returned to join the general complaints division.

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Shortly after entering this field, I realized the gap in services between different agencies and an inability to work together. In particular, in the fields of mental health outreach, hoarding, children's aid, elderly abuse and rooming house response, I attended numerous community meetings, usually held monthly, chaired by elected councillors for the wards, listened to their concerns and became an advocate, which is now a crisis team at the Ottawa health department. It's now comprised of two to three public health nurses, a social worker, two health inspectors and a manager. This endeavour by me was supported by, at that time, medical officer of health Dr. Robert Cushman and Alex Munter, who has gone on to be, as you know, a lead for the children's hospital.

This crisis team worked closely in all the above-mentioned problems and began receiving co-operation from all the agencies in very short order. Integrity and confidentiality, of course, were held to the highest level. In 1999, I received the Ottawa-Carleton public health employee recognition award for health protection innovation and in 2000 I received the city of Ottawa recognition of excellence award in the category of community service.

After my retirement in 2001, I was asked to return to help out rooming house response, improving migrant work with seasonal facilities and swimming pool inspections, one of them being the Kanata wave pool, where a few years ago we had a drowning. Just by luck, I had been there days before and exonerated the public health because it was really in the news media and there was no reason for this. You couldn't put any blame on the people who worked there, the quality of the water, their workmanship; everything they had in their books, everything was up to speed. So we looked very good in their eyes. I felt so bad for them. It was sad.

Licensing mobile food operators was also part of my job. I was also in charge of coordinating and approving all special events and fairs up until 2013 when I retired. I have dedicated my career to the health of the community and look forward to working on the board of health.

That's it. I cut it short. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much, Mr. Desormeaux. I would like to invite Ms. Malhi.

Ms. Harinder Malhi: I just want to say thank you for coming in and for your presentation and your commitment to wanting to serve on this board.

The Acting Chair (Mrs. Marie-France Lalonde): Mrs. McGarry.

Mrs. Kathryn McGarry: Thank you very much for your commitment. I have spent my entire career until the last year as a nurse in the province of Ontario. I understand the complexity, if you will, around public health, inspections, making sure health and safety is followed, that people are informed. I just wanted to say, again, I appreciate the work that you've done over the past few years. It's never easy dealing with the public, especially those who may not be as educated or able to sort of comply with some of the regulations that we've got in Ontario.

Mr. Wayne Desormeaux: Thank you. Some of them were challenging in that we were working closely, once I started this program with the approval of the medical officer—working with mental health was a big issue and rooming houses because we had them in place in the Royal Ottawa and it would be reformed alcoholics and drugs. By our team being there—it wasn't just a matter of going in on a complaint-driven position where we'd find something wrong, get it fixed. It was that we could follow it up because we had the nursing involved from then on and they could keep those clients on the list and do periodic visits, where I couldn't. I had to keep moving on. It really made quite a bit of difference with them.

That program is still being carried on in Ottawa. They've actually started an elderly abuse division based on some of my findings. I still remember the first policewoman was Christine Wolf who took on that program. So we had a direct contact and we found problems with that too. It made a difference.

Mrs. Kathryn McGarry: I think that wide-ranging experience will help you in your role, should you be successful today.

Mr. Wayne Desormeaux: It feels good getting back in.

Mrs. Kathryn McGarry: Thank you.

Mr. Wayne Desormeaux: I actually worked with the now medical officer of health. She was the associate medical officer at the time in Ottawa, Dr. Paula Stewart, so we had a connection.

Mrs. Kathryn McGarry: That's wonderful. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mrs. McGarry. Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out. I'm a neighbour of the Leeds and Grenville health unit and I sat on the health unit for Stormont, Dundas, Glengarry, Prescott and Russell.

I guess the most opportunity people have to meet with the health unit seems to be through the health inspection, different festivals. Maybe you could relate just some of your correspondence or working relationships with some of the local festivals in Ottawa. I guess there would be a large number of them.

Mr. Wayne Desormeaux: Yes. So what's happened with that in the last five or six years once I came back from retirement and went into this field and stepped out of the crisis field is that we started another board that was comprised of fire, building inspection, property standards and ourselves.

All these fairs and festivals—because there are problems—they came to a meeting just like this, made a presentation of how they're going to be set up. Then we took all of that and we made suggestions and recommendations of how we wanted to see it. If they weren't within those standards, they weren't getting opened. It was for the safety of the public. I can't think of more than maybe four or five times where I actually refused to let certain fairs open on the day of because, even though they'd been to our meetings and they'd been versed in all of what's required, they weren't prepared, so we shut them down. That's the way it was.

So the safety and the protection of the public is there now very strongly from Ottawa's point of view, I'm not with Ottawa anymore, as you know; I live in Kemptville.

Mr. Jim McDonell: I know that I participated in a fair board that was over 200 years old and there were times, not that long ago, where it was a question of whether they'd have enough volunteers working just to keep it going another year. I can tell you personally the Williamstown Fair contributes just about \$100,000 to the local community in the way of just the organizations that raise money there: minor hockey, figure skating, the fire department.

It's a huge issue locally now, but it is a challenge for the volunteers. None of them are professionals, there's nobody that works there so it is a statement where we need to work with those communities, those festival groups, because they are a big part of the community, and public safety is always key, but also no matter where or who you're working with, you want to make sure that we're fair and actually are able to help them in any way that we can.

Mr. Wayne Desormeaux: Definitely. What else we've done in Ottawa is we've prepared a lecture: a half-day, a full-day and a two-day lecture. The volunteers can come in for a half-day but we've made it mandatory: If you're doing any work in water, food preparations or just volunteering in those areas, you must come to one of these meetings and learn about health standards, bacteria and exposure.

That has made a huge difference as well. That's on a volunteer basis but we help them out. There are times we've even gone to a hall and done it there. It's made a difference.

Mr. Jim McDonell: Okay. Any questions?

The Acting Chair (Mrs. Marie-France Lalonde): Thank you. Madame Thompson.

Ms. Lisa M. Thompson: Thank you, Chair.

Thank you for applying for this opportunity. I'm intrigued a little bit because if you're successful, you'll be transitioning from front-line services over to the governance role. When you were applying for this

position, did you think about that? Did you weigh the pros and cons of what hurdles you might face because you're going from front line to governance, or what opportunities might lay ahead of you? I'd be interested to hear both sides.

Mr. Wayne Desormeaux: I did. I recall back in 1971 when I graduated, in our building, right above us, was the board of health, which for some years in Ottawa had dissipated, but it's back now. It's coming back.

I got to know some of the members of the board of health and I was intrigued from that point on about how they made decisions. I can still remember certain people. They sort of told me how they came to make certain decisions, but they didn't tell me what the monetary costs were going to be and how that was broken down.

I was always interested: How do they get to that stage? I thought that the best way to find out is to get on this board. I'm good at organizing, I feel, because I managed such a big facility in amateur sports. I've even owned my own business for a while on the side and I'd like to go from that end, and it's for the public health. That's what it's all about. I think I can contribute to making those decisions, look after the core programs, make sure they're prioritized properly and we deliver them that way.

Ms. Lisa M. Thompson: Okay, very good.

Lastly, I'd like to thank you for making the trek in from Leeds, Grenville and Lanark. It's not easy.

Mr. Wayne Desormeaux: No problem. I left my jacket back at the hotel today so that's fine.

Ms. Lisa M. Thompson: Okay, very good. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Ms. Thompson.

That concludes the time allocated for this interview. We will consider concurrences at the end of the day. Thank you very much for being here with us, and you may step down.

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Mr. Wayne Desormeaux: My pleasure. And I studied and I memorized so much of this, thinking I was going—

Interjections.

Mr. Wayne Desormeaux: Thanks very much. I enjoyed it.

The Acting Chair (Mrs. Marie-France Lalonde): Just for the record, Mr. Desormeaux, I omitted to ask one of my colleagues if he had any questions, and I apologize sincerely. If Mr. Gates wants to ask you a few more questions—actually, ask you questions.

Mr. Wayne Gates: I enjoy that you brought all that literature with you.

Mr. Wayne Desormeaux: It's just references. It's up to you.

Mr. Wayne Gates: I've got a couple, if you like.

Mr. Wayne Desormeaux: Fire away.

Mr. Wayne Gates: You don't mind, just so it's—

The Acting Chair (Mrs. Marie-France Lalonde): No, I apologize, Mr. Gates. Mr. Gates, the floor is yours.

Mr. Wayne Gates: Actually, the only reason why I wanted to ask you a question: I like your first name.

Mr. Wayne Desormeaux: Wayne? All right, Mr. Gates.

Mr. Wayne Gates: Just thought I'd throw that out there, buddy.

What is your understanding of the objectives of the board?

Mr. Wayne Desormeaux: The objectives of the board? Well, there are numerous objectives, but I would say, if you put the objectives as such into ensuring that core programs are delivered under the guidelines set out by the Ontario public health standards act, and working within the budget of the municipality and the monies that come from the government, making sure we stay within that, and setting the priorities—

Mr. Wayne Gates: What do you consider “core”?

Mr. Wayne Desormeaux: Water, environmental standards—those types of standards—and sanitation. There are five different ones that are identified if you go through them.

Mr. Wayne Gates: Okay. Do you have any views on what constitute pressing public health issues for your district?

Mr. Wayne Desormeaux: It's one of the fastest-growing communities in eastern Ontario. I'm aware of that, and I did some research on that. It's been identified, as a lot of communities are, as an aging population, so you've got problems with poverty, you've got problems with the old septic and well water systems—whether they can afford to repair the old ones or have new ones installed—problems with infrastructure, problems with access to health agencies, transportation. Being rural, there's a lack of support; if family aren't there, how do they get to these types of services?

Mr. Wayne Gates: It seems to be a theme this week when it comes to rural Ontario and particularly around transportation and getting around.

Mr. Wayne Desormeaux: What's happening in particular in my area in Kemptville—it reminds me of when I lived in Toronto for a short period of time when I saw Scarborough being a satellite, and all of a sudden it gets amalgamated into part of it—so of course the costs, the funding, the infrastructure. Without the infrastructure, most of the money is going to fall back on the municipal tax base. But if they can bring industry in, it's going to help. More money is available for volunteers, transportation, to make it easier for everybody for the health of the community.

Mr. Wayne Gates: We've been hearing that for two days. It's not just in this area but right across.

Mr. Wayne Desormeaux: I'm sure.

Mr. Wayne Gates: I guess the last question is—although you probably said a little bit of it—you are a retiree now?

Mr. Wayne Desormeaux: I'm totally retired as of 2013.

Mr. Wayne Gates: Congratulations on that. It's always a big step. So, from being retired, you're looking

for something that you believe you're very good at and something that you can give back to the community?

Mr. Wayne Desormeaux: Give back, to be honest with you. I actually retired 15 years ago, and within three months I was asked to come back through Alex Munter and the medical officer at the time, so I went back three days a week counselling and helping the new people work in this field of crisis.

Mr. Wayne Gates: It's like my colleagues have said: It's nice that you want to give back. It's a very important issue. Health care just continues to be an issue that continues to grow. Thanks for coming today and I wish you well in the voting.

Mr. Wayne Desormeaux: I'm looking forward to it. This just happened, really.

Mr. Wayne Gates: Good. Thank you, sir.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Gates.

Mr. Wayne Gates: It's my pleasure.

The Acting Chair (Mrs. Marie-France Lalonde): Mr. Desormeaux, thank you again.

Mr. Wayne Desormeaux: Bye.

MR. ROBERT BRADBURY

Review of intended appointment, selected by official opposition party: Robert Bradbury, intended appointee as member, the Centennial College of Applied Arts and Technology.

The Acting Chair (Mrs. Marie-France Lalonde): I would like to invite our next and, from my understanding, final intended appointment, Mr. Robert Bradbury, nominated as member, the Centennial College of Applied Arts and Technology, to please come to the table.

Welcome. Good afternoon.

Mr. Robert Bradbury: Thank you for inviting me.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much for being here. You may begin with a brief statement. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. You may begin now.

Mr. Robert Bradbury: Thank you. Once again, thanks very much for inviting me here.

Just a bit of background: I've been in the practice of public accounting for in excess of 40 years. My practice involved owner-managed businesses, professional firms, manufacturing, and also the not-for-profit area, including community colleges.

I have a CGA designation and a CA designation. As you probably know, these are being amalgamated now under the CPA designation.

I started my post-secondary education at Algonquin College in Ottawa. Like Centennial College, it was one of the very first community colleges in the province of Ontario. I'm very passionate about the community colleges and what they bring to the education sector and to the business community.

I have managed my own business, and in 1996—you'll see on there that it says 1969—1996, just a switch of two—

Interjections.

Mr. Robert Bradbury: That was just before I started practice.

I merged my practice into one of the large CA firms, BDO Dunwoody, and became the managing partner of the Mississauga office of BDO Dunwoody, with approximately 150 professional staff and 17 partners reporting to me. It was a challenge, but I enjoyed it very much.

I bring a good knowledge of the community college—I have a lot yet to learn, certainly, from a financial reporting aspect.

In 2010, the Ministry of Training, Colleges and Universities set up a working group with the financial people from all the community colleges across Ontario. I was asked to also sit on that committee. The idea was to get a better handle on the reporting system and how community colleges report to the ministry, and how the ministry uses that with key performance indicators to determine how the community colleges were going.

Community colleges, as I'm sure most of you know, probably, have struggled over the years, and some of them have been close to bankruptcy. But from what I've seen of most of the ones that I've been involved in since, it has been a tremendous turnaround. So I really feel good about community colleges as a whole.

That's really all I have to say at this time.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you very much.

Mr. Robert Bradbury: Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): We'll invite Mr. McDonell to ask you a few questions.

Mr. Jim McDonell: Maybe elaborate just on what motivated you to join this board of governors.

Mr. Robert Bradbury: As I said, I've been involved with community colleges in my professional—I retired. The official date was January 1, 2013, but I gave notice of retirement in June 2011. By December of that year, I had transferred my practice to other partners. So from thenceforward, I've been involved in a number of things.

One of the things I've done with Centennial is I've been chair of the golf committee, where we raise in excess of \$230,000 for scholarships for not-so-well-off young people to attend the college. I've done that for the last four years, and it has been a very rewarding thing.

I'm very passionate with Centennial. I've been involved in a professional capacity, and now other capacities, since the president started with the college, and the CFO too, for that matter. So I've watched them grow, and I've been very passionate about what they've done to raise the bar for community colleges.

I can say wholeheartedly that the bar has been raised tremendously. If I can just carry on a bit there, today, a lot of people who had looked to going to university for a university education have turned to the community colleges, and it's been rewarding for many people. Other people have gone to university and realized that while

they got a general education, they need something else and have gone back to the community colleges. That has been a really big role that the community colleges have played. Then there's the whole thing about foreign people coming to the colleges, or colleges going foreign. I hope that I answered your question.

1550

Mr. Jim McDonell: Yes, it shows us your interest. That's good.

In your resumé, you have listed a membership with the college speciality group at BDO Canada. Can you maybe outline what that entailed as far the tasks involved with that?

Mr. Robert Bradbury: I'm sorry?

Mr. Jim McDonell: It says that you were involved with the college speciality group at BDO.

Mr. Robert Bradbury: Yes. Basically, I had about three community colleges for which my group was the auditors. We developed a speciality over the last 15 years in dealing with the needs of community colleges. I think that was partly recognized when the ministry asked me and my team specifically to work with them on trying to improve the financial reporting mechanism and system.

Mr. Jim McDonell: With your experience on the financial side of colleges, can you elaborate some of the key issues around successes and failures with some of the colleges?

Mr. Robert Bradbury: I think that there are a number of aspects to it, but certainly, one is that the ministry has come to grips with what constitutes a successful operation and when they need to step in—and that's from the financial reporting side of it. On the community college side of it, the colleges are very competently run from a financial perspective. That has increased significantly over the last while. Certainly over the last 10 years, it has been a tremendous improvement. If you look at the financial results for the community colleges, especially the ones that I've dealt with—I can't really speak to some of the others, but it certainly has improved greatly.

Mr. Jim McDonell: Just before I pass it over to my colleague: You've been working with some of our local colleges. There has been a demand for courses, but getting approval from the ministry to offer those courses sometimes is a challenge, even though there could be a waiting list of students. I guess that's beyond what you've probably been able to see in your role, but it's something that shows that the colleges have their ear to ground, as far as needs. There is still a lot of paperwork and administration in actually trying to bring that to a point where it actually returns to the community.

Mr. Robert Bradbury: The challenge there, I think, partly is that the tremendous need is greater than anyone can possibly imagine, with the technology changes and the new environments that we're living in. Providing people with training is a big challenge, but I think that we're on the right track. I think that we're going a long way towards meeting those commitments. Yes, there is some bureaucracy in getting there, but I think as they become financially stable, the opportunity is greater.

The Acting Chair (Mrs. Marie-France Lalonde): Ms. Thompson.

Ms. Lisa M. Thompson: Thanks, Chair. I have one question. At this time, Mr. Bradbury, some people would suggest that we're in an era where we have jobs without people. Perhaps, in part, it's because we don't have people pursuing education that will lead them to where the jobs are. If you're successful in your application and become a member of this particular board for Centennial, what can you do in your role as a board member to ensure that course offerings and content are relevant to today's job market?

Mr. Robert Bradbury: I can't talk to the experience of some of the other community colleges, but I can talk a bit to that at Centennial. They are looking very closely at new course offerings. I forget how many courses it is they offer now, but it's a tremendous amount.

You can't do everything for everyone, but I think their needs come along. Right now, Centennial is doing the aerospace project out at Downsview, and there's an area that's expanding tremendously. Even some of the basic things are growing in enrolment—electricians, for instance; nursing is one that's growing tremendously in the community college.

There are a lot of challenges there, and I don't have the answers, but I certainly understand what you're saying and—

Ms. Lisa M. Thompson: But you're seeing Centennial move along in that direction.

Mr. Robert Bradbury: Definitely.

Ms. Lisa M. Thompson: Very good. I have one supplemental. Changing gears here a notch, we're also in an era where organizations are finding it tough to make ends meet. We're hearing of some institutions increasing class sizes just to increase enrolment. What are your thoughts on that? Quality versus quantity: Where's the rub?

Mr. Robert Bradbury: Yes. The simple answer to that is: None of us want bigger classes. But I think there's always a median there. The colleges are expanding tremendously, so they're taking on new facilities all the time—more and more satellite-type situations, where they can move into a community and do work at specific things. One they were looking at recently was a nursing facility in Vaughan, for instance. I think that rather than bringing it to bigger classes, there has got to be a move to doing more satellite-type functions.

The other one that's changing tremendously is the international.

Ms. Lisa M. Thompson: Can you expand on that?

The Acting Chair (Mrs. Marie-France Lalonde): Seventeen seconds.

Mr. Robert Bradbury: Universities and colleges are looking overseas for lots of things.

Ms. Lisa M. Thompson: Okay. Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Sorry, Mr. Bradbury. Thank you very much. Thank you, Ms. Thompson.

Mr. Gates.

Mr. Wayne Gates: I'll help you out on this one, all right? It's what colleagues do.

How are you doing, sir?

Mr. Robert Bradbury: I'm doing fine.

Mr. Wayne Gates: It's nice seeing you this afternoon.

Actually, Centennial College is currently in the middle of doing a plan from 2013 to 2020. I'll just read out three of them, but you can answer after I read out one, just to follow up on her question: a greater focus on recruitment and education of new immigrants.

Mr. Robert Bradbury: Yes, Centennial College has gone a long way with that. As one of the leaders in community colleges, they are partnering a college in China right now. They're in India; they're in Dubai. They're partnering with General Motors in South America. So they are trying very hard to do that.

Mr. Wayne Gates: You touched a little bit on it, but more partnerships within the colleges and business outside the country, outside Canada.

Mr. Robert Bradbury: As I mentioned, China, for instance, and Dubai. They are setting up satellites, but in China, they're actually going to partner with a college and university. In India, they have satellite offices.

It does two things. It may bring immigrants into Canada to study here, but it also allows kids from here to go to those countries and learn the culture. We're a multicultural place here right now and it's going to continue that way.

1600

Mr. Wayne Gates: I'll read the third one, but it's very similar to what our line has been for the last minute or two: "Increasing students' exposure to other cultures and countries through new educational programs, international internships, and job placements"—which are all equally important in getting on-the-job training—"as well as exchanges and scholarship programs." The plan looks pretty good. It sounds like you're in agreement with where they are heading?

Mr. Robert Bradbury: That's why I'm here.

Mr. Wayne Gates: That's good, but I thought I'd read it anyway.

Mr. Robert Bradbury: No, that's perfect.

Mr. Wayne Gates: The other thing you talked about is they're expanding in aerospace.

Mr. Robert Bradbury: Yes.

Mr. Wayne Gates: I have a place called Airbus. They do helicopters. They would probably really like to know a little more about this program, because one of the things that we have trouble getting sometimes—not all the time—is skilled workers for Airbus, because of some of the stuff they do. So taking them out of a program, to your point, where we talked about—we have to figure out where the jobs are going to be and educate our children and our grandchildren so they can finish and go into a job.

Before I get into talking about my own area, I actually think that's where community colleges are going. I think there's a reason why more people are going to community colleges. One is that some people can't afford

to go to university. It's out of the affordability for their kids, so they're looking at community colleges. They're looking at community colleges and saying, "Okay, if I go to community college, what can I go into so I'm going to be able to find work when I'm done?" I've said this a couple of times, but I think it's important to talk about it because we've had a number of people who are getting on community college boards.

In my area, I'm really familiar with Niagara College. What they've done is very, very successful. They're growing, to your point.

Mr. Robert Bradbury: Yes. And they went through a very hard time, too, I recall.

Mr. Wayne Gates: They did. Mr. Patterson, the president, has done an incredible job there. He's well liked within the college, but equally important, well liked within the community.

We've had partnerships at Niagara with General Motors, when we talked about corporations, where they're seeing the importance of investing in the community college as they transfer into employees for them. What we've done there are programs for skilled trades, because if there is an area, we all know there may be a need for more tradespeople. What's good about it is it's for both women and men, for sure. So that's another avenue.

The thing that I've really enjoyed watching grow is that they set up their own wineries at the college and the wineries are now world-renowned. They're winning awards all over the world by these students, which is incredible. Then what happens is the wine industry is taking off right across Niagara and, quite frankly, down in New York state and up in the Windsor area. Again, they do that and then they go into half-decent-paying jobs.

Craft brewers are taking off down in our area. I know that's happening across the province of Ontario.

What they're talking about—I think it's important that the community colleges say, "Where are the jobs and where are they going?" Aerospace was a good example in your part.

I know it's more of a speech, but I think it's an important speech to say that affordability is a reason why we're going there, and the fact that they're offering jobs where they can actually get jobs. There's nothing worse than coming out of school after two or three years and there is nothing to go to. A diploma in something that doesn't get you a job isn't really a lot of help.

The last thing I want to say to you, sir, is to thank you for the golf tournament. We all try to run fundraisers, but to be able to raise \$230,000—you obviously have a lot of friends. I'm having trouble making a \$120 guy come and golf. But \$230,000 for the right reasons? Congratulations on doing that on behalf of those students.

Mr. Robert Bradbury: Thank you very much. A big team, though—

Mr. Wayne Gates: I understand that, but every team needs a captain, so we'll leave it at that.

Mr. Robert Bradbury: We've had a lot of fun doing that.

Mr. Wayne Gates: Thank you, buddy.

Mr. Robert Bradbury: Thank you.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mr. Gates. I would like to invite Ms. Hoggarth.

Ms. Ann Hoggarth: Good afternoon, Mr. Bradbury. Thank you very much for putting your name forward for this position.

Mr. Robert Bradbury: My pleasure.

Ms. Ann Hoggarth: I come from Barrie, where we have Georgian College, which has the University Partnership Centre, which is something innovative and which I think works well for students and for the college.

In this position, board members should have a range of relevant backgrounds, experience and professional skills. I think, by looking at your resumé, that very clearly you have been involved, besides being an accountant by profession, in health care, in community care, in your church, at the chamber of commerce and at CEO Global Network group. I think that is a wonderful, diverse resumé and I think you'll do a great job at this.

Mr. Robert Bradbury: Thank you. I'll try my best.

Ms. Ann Hoggarth: Thank you. I would just like to know if you have any particular reason for applying for this.

Mr. Robert Bradbury: Just the passion of it and the people I know who are involved in it that I have a lot of respect for and have watched the thing grow unbelievably. I feel that I'd like to be part of it.

Ms. Ann Hoggarth: Well, thank you very much. I think you'll do a great job. Thanks for coming today.

The Acting Chair (Mrs. Marie-France Lalonde): Mr. Bradbury, thank you very much. That concludes the time allocated for our interview. Thank you very much.

Mr. Robert Bradbury: My pleasure.

The Acting Chair (Mrs. Marie-France Lalonde): We will consider concurrence. You are our last intended appointee, so we're more than happy if you want to stay because we will be voting on all our 14 appointees today. Thank you again for joining us. It's much appreciated.

Mr. Robert Bradbury: Thank you very much.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you. We will now consider the 14 concurrences—intended appointments for today. Oh, sorry, Mr. Gates?

Mr. Wayne Gates: Can I just do a motion that we put a motion forward to accept all appointments that we heard today?

The Acting Chair (Mrs. Marie-France Lalonde): We have unanimous—

Ms. Ann Hoggarth: Is that okay?

The Acting Chair (Mrs. Marie-France Lalonde): Oh, attends une minute. I will verify with our Clerk.

I was advised that we should vote on each of our 14 intended appointments. Sorry, Mr. Gates.

Mr. Wayne Gates: That's fine. Always trying to help.

The Acting Chair (Mrs. Marie-France Lalonde): Would someone please move Mark Robert for concurrence?

Mr. Vic Dhillon: Yes, Chair. I move concurrence in the intended appointment of Mark Robert, nominated as

member, Ontario College of Art and Design University board of governors.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? This motion is carried.

Would someone please move Donald MacVicar, please?

Mr. Vic Dhillon: Yes, Chair. I move concurrence in the intended appointment of Donald F. MacVicar, nominated as member, city of Hamilton Police Services Board.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone move the concurrence for Rebecca Bentham?

Mr. Vic Dhillon: Yes, Chair. I move concurrence in the intended appointment of Rebecca Bentham, nominated as member of Mohawk College of Applied Arts and Technology.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Mr. Krupa?

Mr. Han Dong: Chair, I move concurrence in the intended appointment of Zbigniew Krupa, nominated as member, Council of the Registered Insurance Brokers of Ontario Complaints and Discipline Committee.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the intended appointee, Katie Osborne?

Mr. Han Dong: Yes, Chair. I move concurrence in the intended appointment of Katie Osborne, nominated as vice-chair and member, Fire Safety Commission; and member, Animal Care Review Board, Licence Appeal Tribunal, Ontario Civilian Police Commission and Ontario Parole Board.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Miranda Paquette? Ms. Hoggarth?

Ms. Ann Hoggarth: Yes, Chair. I move concurrence in the intended appointment of Miranda Paquette, nominated as member, Council of the Association of Ontario Land Surveyors.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Ms. Wendy Lawrence? Ms. Hoggarth?

Ms. Ann Hoggarth: Yes, Chair. I move concurrence in the intended appointment of Wendy Lawrence, nominated as member, Council of the College of Chiropractors of Ontario.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Mr. Paul Macmillan? Ms. Hoggarth?

Ms. Ann Hoggarth: Yes, Chair. I move concurrence in the intended appointment of Paul Macmillan, nominated as member, Health Professions Regulatory Advisory Council.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Cristina De Leon-Culp? Ms. Malhi?

Ms. Harinder Malhi: I move concurrence in the intended appointment of Cristina De Leon-Culp, nominated as member of the Landlord and Tenant Board.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Ms. Chinyere Eni-McLean? Ms. Malhi?

Ms. Harinder Malhi: I move concurrence in the intended appointment of Chinyere Eni-McLean, nominated as member of the Ontario Trillium Foundation.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Mr. Carl Zehr? Ms. Malhi?

Ms. Harinder Malhi: Yes, Chair. I move concurrence in the intended appointment of Carl Zehr, nominated as member of Metrolinx.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for David De Abreu, please? Mrs. McGarry?

Mrs. Kathryn McGarry: Yes, Chair. I move concurrence in the intended appointment of David De Abreu, nominated as member, Royal Ontario Museum.

The Acting Chair (Mrs. Marie-France Lalonde): Thank you, Mrs. McGarry. Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Wayne Desormeaux? Mrs. McGarry?

Mrs. Kathryn McGarry: Yes, Chair. I move concurrence in the intended appointment of Wayne Desormeaux, nominated as member, Leeds, Grenville and Lanark District Health Unit board.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Would someone please move the concurrence for Robert Bradbury? Mrs. McGarry?

Mrs. Kathryn McGarry: I move concurrence in the intended appointment of Robert Bradbury, nominated as member, the Centennial College of Applied Arts and Technology.

The Acting Chair (Mrs. Marie-France Lalonde): Any discussion? All in favour? Opposed? The motion is carried.

Well, this will end our day. I wish you all safe travel. Thank you very much.

The committee adjourned at 1613.

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Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 15 September 2015

Mardi 15 septembre 2015

The committee met at 0901 in committee room 2.

The Clerk of the Committee (Ms. Sylwia Przewdziecki): Good morning, honourable members. Owing to the absence of both the Chair and the Vice-Chair, it is my duty to call upon you to elect an acting chair. Are there any nominations? Madame Lalonde?

Mrs. Marie-France Lalonde: I would like to nominate Mrs. Kathryn McGarry.

The Clerk of the Committee (Ms. Sylwia Przewdziecki): Mrs. McGarry, do you accept the nomination?

Mrs. Kathryn McGarry: I do.

The Clerk of the Committee (Ms. Sylwia Przewdziecki): Are there any further nominations? Okay. There being none, I declare nominations closed and Mrs. McGarry duly elected as Acting Chair of the committee. Would you come up and take the chair, please?

The Acting Chair (Mrs. Kathryn McGarry): Good morning, everybody. Welcome to the Standing Committee on Government Agencies. I hope everybody has had a good night and is ready to roll today.

APPOINTMENT OF SUBCOMMITTEE

The Acting Chair (Mrs. Kathryn McGarry): This morning I believe that we need to appoint the subcommittee on committee business, and I think Mr. Bailey has the motion.

Mr. Robert Bailey: Yes, thank you, Chair. I move that the following changes be made to the membership of the subcommittee on committee business: that Mr. McDonell be replaced by Mr. Pettapiece.

The Acting Chair (Mrs. Kathryn McGarry): Are there any comments to this motion? Okay. Are we ready to vote? All in favour? Any opposed? That motion is carried. Congratulations, Mr. Pettapiece. Thank you for joining us.

Mr. Randy Pettapiece: Thank you.

SUBCOMMITTEE REPORT

The Acting Chair (Mrs. Kathryn McGarry): Next on the agenda, we're going to be reviewing the intended appointments. We'll be looking at the report of the subcommittee on committee business, dated Thursday, September 3, 2015.

Before we begin our intended appointments review, our first order of business is to consider the subcommit-

tee report. Could somebody please move adoption of the report?

Mr. Wayne Gates: Sure. I move the adoption of the subcommittee report on intended appointments dated Thursday, September 3, 2015.

The Acting Chair (Mrs. Kathryn McGarry): Mr. Gates has moved the motion. Any discussion?

All in favour? Any opposed? The motion is carried.

INTENDED APPOINTMENTS

MS. JENNIFER KHURANA

Review of intended appointment, selected by official opposition party: Jennifer Khurana, intended appointee as member, Human Rights Tribunal of Ontario.

The Acting Chair (Mrs. Kathryn McGarry): We'll be moving to our first intended appointee today, who is Jennifer Khurana. Can you please come forward and introduce yourself into the microphone for the purposes of Hansard, and welcome to our committee.

Ms. Jennifer Khurana: Thank you.

The Acting Chair (Mrs. Kathryn McGarry): Jennifer, once you introduce yourself, then you may begin with a brief statement, if you wish. I know members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions.

Ms. Jennifer Khurana: Thank you, Madam Chair. Good morning, everyone. My name is Jennifer Khurana, and I'd like to thank you for the opportunity to be here this morning and for considering my intended appointment to the Human Rights Tribunal.

I thought I'd begin just by highlighting a few aspects of my background and experience which I think are particularly relevant to the work of the HRTO. I hold a bachelor's of commerce from the University of Ottawa. I also went to law school just up the street here at the University of Toronto. I later completed graduate studies in law, human rights law and humanitarian law at Lund University in Sweden.

Professionally, I've developed skills as an adjudicator and in decision-making that are directly relevant to the work of the HRTO. First, here in Ontario, very early on in my career when I was articling, I clerked at the Superior Court of Justice here in Toronto. Over the course of that year I worked for a group of about 30

judges, so that was an early introduction to judicial reasoning, decision-writing, and the judicial process.

I have been a full-time bilingual member of the Social Benefits Tribunal for the past two years, since July 2013, and I hear up to 15 appeals a week. In that capacity I've developed considerable hearing management, case management and decision-writing skills which I could of course bring to the HRTO as well. I've heard hundreds of appeals each year involving a diversity of parties, some of whom are represented, others who are not, and in a variety of formats. I have held hearings in person, via video conference, and also by telephone.

I've also been assigned several cases where appellants have raised an issue under the Ontario Human Rights Code, and have presided at many of the pre-hearing conferences and followed those files by case-managing them through to the hearing stage.

Internationally, I also worked in a judicial context and spent six years at the International Criminal Court in The Hague. I was a legal adviser in chambers, advising judges on points of law, reviewing evidence, drafting decisions and orders. I also served as the external relations adviser to the president before leaving the ICC.

After leaving the International Criminal Court and before coming back to Ontario and being appointed to the Social Benefits Tribunal, I was the director of the International Humanitarian Law Dissemination Unit at the headquarters of the American Red Cross in Washington DC. There I led a team implementing educational programs in the United States on the law of armed conflict.

In sum, I would bring to the HRTO adjudicative, decision-making and communication skills, as well as considerable experience with diversity and working in diverse environments. I have a wealth of experience in communicating ideas and adapting these ideas to a variety of audiences, which I think is an important part of accessibility, and working with parties in the tribunal system.

I would also bring an interest in and a passion for working with human rights and social justice issues. I'm a proud member of our cluster of tribunals currently, and I very much enjoy serving the people of Ontario. I would now welcome the opportunity to contribute to the work of the HRTO as well, through a cross-appointment, and I believe that's a position for which my career to date has well prepared me.

Il me fera plaisir également de répondre à vos questions en français si vous en avez. Merci.

The Acting Chair (Mrs. Kathryn McGarry): Thank you. Our questioning will begin with the third party. Mr. Gates.

0910

Mr. Wayne Gates: Good morning. How are you?

Ms. Jennifer Khurana: Good morning. Fine, thank you. How are you?

Mr. Wayne Gates: I see that you were in Sweden for a number of years.

Ms. Jennifer Khurana: Yes.

Mr. Wayne Gates: I'm wondering, have you found a big difference between Sweden and Ontario and Canada? What's the big difference that you saw when you were over there?

Ms. Jennifer Khurana: In terms of human rights?

Mr. Wayne Gates: Yes, human rights, the country, all that stuff. I've heard lots of good things about Sweden.

Ms. Jennifer Khurana: Yes, certainly. I spent a good amount of time in the northern parts of the world. I think, just generally speaking, we share quite a bit with the Scandinavian countries in terms of mentality and commitment to social justice issues, certainly. That's something that, even in the course of my studies—I went to graduate school in Sweden. Part of my thesis during my LLM was doing a comparative assessment of equality rights in the European context. I looked at some of the Scandinavian countries as examples, and compared that to some of our charter protections here in Canada.

Mr. Wayne Gates: How did you find it compared?

Ms. Jennifer Khurana: In some areas, I think we have a lot of commonalities. I think some of the protections substantively here in Canada with respect to discrimination—we fare very well formally compared to some of the models in the European system. In the implementation, I think that we have things that we can certainly learn, and vice versa.

Mr. Wayne Gates: Now, my dealings with human rights, particularly on the complaint side, is that they take a long time. Do you have any thoughts around how we could speed the process up, make it better, make it fairer? I think that people are waiting sometimes years when they go through appeals and hearings. Sometimes, that's not good for either party.

Ms. Jennifer Khurana: Sure. Certainly, I'm not yet within the Human Rights Tribunal context, but from what I understand, their leadership and the associate chair there has worked quite closely with stakeholders to try to address some of those concerns. I know that it's been part of their focus, as mentioned in their last annual report as well, to look at external service delivery and how to address those very concerns.

They've also set service standards for even scheduling the first mediation. Once an applicant has filed their application, they try to meet that. I think the standards have been met—I don't know the exact figure—up to 70% or 80% of the time. They also have service standards with respect to issuing decisions: within 60 days, if the hearings are three days or less, and I believe it might be six months for longer hearings.

I think the tribunal is already addressing that. Certainly, the Social Benefits Tribunal and our leadership have done the same with a view to addressing those concerns and trying to reduce the time for the first hearing and for all the steps along the way.

Mr. Wayne Gates: When you talk about first hearings, I believe that we should probably spend a little more time and resources on mediation. What's your feeling on that?

Ms. Jennifer Khurana: I guess that I'll speak first just from the perspective of the Social Benefits Tribunal.

Again, I know that our associate chair and leadership have been working on ways to address some of the early-resolution issues and to see what could be done at an early stage, before it ever gets to us. Certainly, as an adjudicator, by the time that an appellant is before the tribunal, hopefully they have addressed some of those issues and perhaps even narrowed the scope. I think that makes for effective case management, even when we get to a hearing.

I mentioned as well, that I've presided over several pre-hearing conferences. I find that is an effective way as well in dealing with more complex cases, to get the parties on the phone. If they're represented, that helps as well to narrow the scope. If they're not represented, I find that is an opportunity to explain the process and help frame the issues. By framing the issues, you might actually reduce the time at the hearing as well. Even just issuing case management rulings along the way helps to make for more effective processes.

I know, certainly at the Human Rights Tribunal, that they do that right from the get-go. Mediation, as you know, is a big focus of the Human Rights Tribunal. I believe they settle—I don't know the exact figure—around 60% of cases at mediation. That's part of their mandate as well: to resolve disputes.

Mr. Wayne Gates: Yes, that 60% could go a lot higher if we probably put a little more resources into it.

What got you to want to seek the appointment? What's your driving force behind that?

Ms. Jennifer Khurana: As I alluded to in my statement, I'm someone with a background, and an academic background as well, in human rights. I've worked internationally in institutions at the service of human rights. Certainly, I'm someone who has a personal interest and passion for working as an adjudicator. I enjoy doing that. I like the process. I enjoy working at the service of human rights in Ontario. Even with the Social Benefits Tribunal to date, because I expressed an interest in those types of cases, I have worked with cases where individuals have raised a code issue since we do have jurisdiction in that capacity as well.

Mr. Wayne Gates: Well, I can tell you it's very important work that has to be done. It seems to be getting bigger and bigger all the time as we understand issues. So I want to thank you for taking the time today to come and to wish you the best if you're voted on. Thank you very much. I appreciate it.

The Acting Chair (Mrs. Kathryn McGarry): We'll move to the government. We have six minutes and 35 seconds. I believe Mr. Anderson wants to question you.

Mr. Granville Anderson: Thank you for being here this morning. I see you're a very accomplished person. It's wonderful to see that we have such talent coming to our boards and agencies.

Ms. Jennifer Khurana: Thank you.

Mr. Granville Anderson: You have spent a lot of time abroad working for institutions like the American Red Cross and the International Criminal Court. What brought you back to Ontario? Can you tell us what you

learned abroad that you could bring to the Human Rights Tribunal? And to touch a little further on what Mr. Gates said, of all your accomplishments, I haven't seen you mention mediation. Have you had any—

Ms. Jennifer Khurana: Maybe just to address the first part of your question initially: Yes, working internationally, I was very fortunate to have those opportunities. It was also an interest of mine from a very early stage. Even as a student I went on exchanges, studied abroad, learned other languages and lived abroad, because it was an interest of mine always to be able to seek that perspective and experience and to bring it back to my home province or back to Canada and to apply those skills and that perspective back home. That is what brought me back home. I did have those opportunities and they were fascinating, but I did want to bring those skills and experience I garnered back home. I think what that experience also brings you is an appreciation of the important of local change and of what impact that can have on the lives of residents here in Ontario.

Working in an international institution is an honour—it was an excellent experience for me—and I think it highlights the challenges that go with working for an institution in the public eye. The International Criminal Court is certainly always in the public eye. That has also prepared me for understanding the importance of ensuring fair, impartial processes when you're dealing with complex challenges that are often of broad public interest and of importance to public policy. That's what brought me back here.

To touch on the point about mediation, in my capacity as an adjudicator at the Social Benefits Tribunal, we don't have a formal mandate as mediators when we're adjudicating. By the time an appeal gets to the SBT, of course, it's because someone disagrees with the decision that was made, and we're there to render a final decision. However, as I alluded to with Mr. Gates's question, when doing pre-hearings and presiding through the case management process, there's certainly occasion to have discussions with the parties and, I would say, particularly on those files that are not the standard, non-disabled files. So where an issue such as an overpayment is raised or where there's an issue about eligibility, we're not mediating but we're definitely engaging with the parties and trying to better understand and frame those issues. I think as a mediator that would be an important first step as well: understanding your role and knowing you're there to give information. You're not advising, but you're certainly there as a neutral third party.

I think my experience in that way is not only as an adjudicator understanding that balance that has to be met, but I've also, of course, worked in capacities where I had to represent the interests of a party, so I've been participating not as the mediator but as someone who was on one side of a negotiation or participated.

I did have the opportunity when I worked at the American Red Cross to complete a certificate program in negotiation as well, as part of the Harvard Law School program, so I had some training in that respect.

0920

Mr. Granville Anderson: So just to follow up: When you deal with unrepresented clients, you have to treat them differently and probe a little bit more, correct? That's kind of my background, so I know that's what you do.

Ms. Jennifer Khurana: Yes.

Mr. Granville Anderson: How do you find doing that, without going over that—there's a fine line, how far you can go when you do that.

Ms. Jennifer Khurana: It's certainly the case. I think that working as an adjudicator, it's your duty or your responsibility to understand that there's no one-size-fits-all approach to dealing with parties. It can be a quite different situation if you have an appellant before you who's represented by a clinic lawyer who knows the law inside and out, and they're very well represented, versus, as you say, an unrepresented party, potentially with a variety of health issues and vulnerabilities, or mental health issues.

I think the important part, when working with or presiding a hearing with an unrepresented party, is to be actively engaged with that. So again, you're not there to advise or to suggest points—evidence to lead or to induce—but you have a duty to explain the process and understand that for it to be truly accessible, you can't just sit there in the room as though you're a referee at a tennis match. You have to be actively engaged.

I know, certainly, the Human Rights Tribunal has formally, in their rules, a mechanism for ensuring that active adjudication is part of their process. In our cluster, I think the leader should do an excellent job of providing training in that regard.

It's an issue that comes up at every one of our professional development institutes. We do a lot of work in that area just as a cluster, as well, to address that. It's not unique to the Human Rights Tribunal or to the Social Benefits Tribunal but is a challenge that cuts across our cluster. There's a lot of work being done within our cluster to find ways to address that, even through doing scenarios where we try to give examples of challenging situations that we've all encountered and share experiences in that respect.

Mr. Granville Anderson: Thank you, Madam Chair. I don't know if my colleagues—

The Acting Chair (Mrs. Kathryn McGarry): We have just 10 seconds left.

Mrs. Marie-France Lalonde: Merci.

Ms. Jennifer Khurana: Merci.

The Acting Chair (Mrs. Kathryn McGarry): We'll move now to the official opposition.

Mr. Randy Pettapiece: Good morning. I was interested in your work in Europe at the Hague. That's something that I haven't followed. I don't study it, but it's interested me with some of the cases that have gone on over there and what they do.

Now you're coming back to this country. Are there lessons from that experience that you can bring to this

country that you think—one or two lessons you think are very important that you can bring back to this position?

Ms. Jennifer Khurana: This is actually something I forgot to mention with respect to the other question about what I have learned internationally. It was one of my favourite parts of working in that environment. If you work in an international institution, you work with lawyers from all around the world: different countries, different legal traditions, different linguistic-cultural backgrounds. That type of experience with diversity and of trying to communicate across those—the richness of that diversity is something that I most certainly bring back, and here we are in Toronto, which is a microcosm of that very same diversity. That's something that I have learned and I'm comfortable in. I'm used to understanding and respecting that type of difference and diversity, and seeing how you can work in those environments.

In terms of what else I've learned, I think I mentioned this a little bit earlier on, but working at the International Criminal Court: It's a criminal court, it's a judicial institution, but there is broad public interest in that area, and you certainly appreciate—not just when I was working as a legal adviser, but also as external relations adviser to the president—how important it is for the court, for its own credibility and for it to be able to build support for the institution to ensure that it demonstrates it has impartial, fair processes.

That applies, I think, to all of our judicial systems—to the tribunal system, which touches so many Ontarians and is often their first point of contact with a judicial or quasi-judicial body.

I think that's a very important lesson as well and one that I appreciate the importance of from that environment.

Mr. Randy Pettapiece: I would think, and it's just my own thoughts here, that different cultures have different standards, if I can put it that way, or ways they do things, and I would think that in this position you would have to understand where they come from in order to reach some decisions that you might have to make, although—I'm not explaining this very well. If I come from one country, I might have a different standard than they do in Canada.

Certainly, we want all people to be inclusive in our society, so I would think that in your position on this tribunal, you would probably get involved in some of those things, where maybe people from another culture would have difficulty understanding how we do things over here.

Would that be something that would—

Ms. Jennifer Khurana: I think that comparatively to the international environment—certainly at the tribunal we would apply the Human Rights Code and that would be the binding legislation to refer back to. I think that would be the legislative framework for any decision or for the work of an adjudicator.

Similarly, I would say that in the international context, we had a statute—the International Criminal Court is a creature of a treaty. It was created by states. They

adopted a statute and that's what we applied. So, irrespective of the legal system, of the individual lawyers working within that system, that was our framework that we applied.

Mr. Randy Pettapiece: All right. That explains it.

Mr. Robert Bailey: Do I have a minute?

The Acting Chair (Mrs. Kathryn McGarry): Yes, Mr. Bailey. Go ahead. You have five minutes.

Mr. Robert Bailey: Thank you for coming in today. I've enjoyed listening to your presentation.

I've got a really simple question: Do you have any idea what kind of time commitment you would be looking at to fill this role? Has anyone given you any guidance on that, or is it something that you would kind of go on from your former appointment?

Ms. Jennifer Khurana: Well, I guess from my understanding, this is a cross-appointment, right? So I currently work as a full-time member of the Social Benefits Tribunal.

Cross-appointments, I think, have been adopted in different ways or different modalities. I know some members have done straight exchanges. There was an exchange between a member at the Landlord and Tenant Board and the Human Rights Tribunal, so they just swapped positions for a period of time. As another example, my vice-chair in Ottawa is cross-appointed to both the Landlord and Tenant Board and the Social Benefits Tribunal, so that's another example of how this could work in practice: She would sit on the Landlord and Tenant Board for a certain number of weeks a month and then she would sit on the Social Benefits Tribunal.

I think there are different ways of doing that, and how that works out in practice would be for the respective associate chairs to figure out.

Certainly for me, I'm happy to serve wherever I can and in whatever way best suits the interests of the two tribunals.

Mr. Robert Bailey: Okay. That's all I have.

The Acting Chair (Mrs. Kathryn McGarry): Thank you. That concludes the time allocated for this interview.

Thank you, Jennifer, for standing in nomination for member, Human Rights Tribunal of Ontario. Just to let you know, we will consider the concurrences following the interviews.

You may step down. Thank you very much.

Ms. Jennifer Khurana: Thank you very much.

MS. GISELLE BASANTA

Review of intended appointment, selected by official opposition party: Giselle Basanta, intended appointee as member, Fire Safety Commission, Animal Care Review Board and Licence Appeal Tribunal.

The Acting Chair (Mrs. Kathryn McGarry): All right, committee. Our next intended appointment is Giselle Basanta. Could you please approach and have a seat. Get yourself comfortable. There is water if you wish.

Welcome, and thank you very much for being here. I'm going to have you state your name at the beginning for the purposes of Hansard, and you may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask you questions. Any time that you are using for your statement will be taken out of the government's time for questions.

You may begin whenever you wish.

Ms. Giselle Basanta: Thank you, Madam Chair, Madam Clerk, honourable members. Thanks for having me here today.

My name is Giselle Basanta. I am currently a legal counsellor over at Ryerson and I stand before you as the intended appointee to three tribunals: the Fire Safety Commission, the Animal Care Review Board and the Licence Appeal Tribunal, which are within the SLASTO cluster of tribunals.

0930

I can tell you a little bit about myself. I came to Canada in 1981 from Trinidad and Tobago, as a teenager. We settled in Scarborough. At that point, I sort of became quite involved in the idea of public service and student council as a new Canadian. I went on to study political science at Queen's University. When I graduated in 1990, Bob Rae was Premier of Ontario. We were in an economic depression or recession, I guess, at that point, and I decided I would really like to be in social work, in public service, that I would want to continue that spirit of social work and public service and voluntarism.

So I got a job with the social services department at the city of Toronto and worked in the general welfare office. In those days, we would do home visits. I worked in Parkdale and then I worked up at Yonge and Eglinton and really got to learn the city and learn what it means to provide service to regular people who were having a hard time.

In those days, the rolls were quite large. I managed about 300 cases at that time on my own and appeared before the Social Benefits Tribunal on occasion. I became interested in the administrative part of the process and also the way in which you exercise discretion and make decisions, because, as a social services worker, you did that on a daily basis.

After a couple of years, I saw a posting for an appeals officer at the Information and Privacy Commissioner's office. I was successful in getting that job and worked with adjudicators to review draft decisions, learn the mechanism of writing an administrative decision, of being in an oversight agency, being independent. Those years at the IPC were valuable years to me.

I went on to be a labour relations officer with the Ministry of Correctional Services and the Solicitor General when they were married; they're now divorced. Again, I travelled the province dealing with grievances and employment matters and labour relations matters as a labour relations officer, conducting and participating in mediations, dealing with bargaining, the first OPSEU strike, and presenting cases as a layperson before the

grievance settlement board, the Public Service Grievance Board, and the Ontario Labour Relations Board, so that again was built into my skills and experience in the area of administrative law.

I was out of the country for a while and worked at human resources, my only foray into the private sector, in Trinidad. I went home for a couple of years and came back to the IPC as a mediator, and then I was manager of the mediators in the municipal and FIPPA team. Then I decided I should probably go to law school before I was 40. I decided to do that and, upon graduation, articulated at the TDSB and became legal counsel there—talk about a high-profile job for a young, new lawyer; maybe not so young, but a new lawyer—and again practised admin law, practised labour and employment law, student rights. I worked for a while as the governance officer for the board of trustees. Then I had a six-month stint at the Pan Am Games, supporting the board in the governance function there, because I do have a special interest in governance. Then I got the job at Ryerson to deliver and manage the program around academic integrity for students and the appeals that students file there. So I support adjudicators and serve as their adviser in making their decisions, and those decision-makers are faculty. Since June, I've moved to the general counsel's officer and I manage the litigation portfolio for Ryerson.

This, for me, is a matter of community service, a matter of public service. It's a part-time cross-appointment. This is a way for me to hone my skills in adjudication and decision-writing and give back to the people of Ontario, doing this very important work in the public interest.

Thank you, Madam Chair.

The Acting Chair (Mrs. Kathryn McGarry): Thank you very much. Our questioning will be with the government side. You have four and a half minutes.

Mrs. Marie-France Lalonde: Thank you very much for being here. We really appreciate it. As you were talking, I was also at the same time reviewing a little bit of everything you've done. So congratulations.

I'm a former social worker in my previous life, as I like to call it. Mediation was something that was sort of new in my day, as a starting point. Could you tell me a little bit more about your mediation experience—

Ms. Giselle Basanta: My what experience?

Mrs. Marie-France Lalonde: Mediation experience—sorry—over the past years?

Ms. Giselle Basanta: I started off as an appeals officer. It was my second job out of university in 1992. The appeals officer's job back then at the IPC was really to bring the parties together, caucus with each one, do shuttle mediation and try to come to an understanding of whether certain information could be disclosed while serving the interests of both. That's where I started, and from there, I went on to the labour and employment branch. Mediation between the employer and the bargaining unit is a very different animal. It's very formalized, and there are usually exchanges of documents. There could be a med-arb.

Then, moving on from that, being a mediator and a manager of the team at the IPC, the idea, I think, is to make sure that the parties come to the table willingly, that they're there voluntarily and they're ready to put forward their position, that if there is any opportunity to narrow the scope, you can help the adjudication process very much. Also, you get the credibility of the parties, where they come together and they understand that they have power in the process and they can reach agreement without having to lose anything.

If you can have those things converge, then I think you have a very successful process. I think where mediation tends to be forced, you can have some adverse results, but for me, it's always at least better to try.

Mrs. Marie-France Lalonde: Thank you very much.

The Acting Chair (Mrs. Kathryn McGarry): Thank you very much, Ms. Lalonde. The official opposition: Mr. Pettapiece.

Mr. Randy Pettapiece: Good morning.

Ms. Giselle Basanta: Good morning, sir.

Mr. Randy Pettapiece: I come from a rural background. I've been on a farm all of my life, except for the last three years. I've milked a few cows, raised a few hogs, stuff like that. I just want to try to understand what you might understand about the agricultural communities, as far as the animal rights business goes. Have you had any experience with the farming community, with those of us outside the GTA, as far as normal practices go with farming? Do you know anything about cows or hogs?

Ms. Giselle Basanta: Well, other than personal—my in-laws run a farm that they co-farm with their neighbours. They raise soybeans and corn. Other than that, I don't have any formal experience.

I come to you as somebody with the adjudicative and legal experience to deal with issues before me. I know that there is expertise on the tribunal. It's personal experience.

Mr. Randy Pettapiece: I want to tell you about something that happened in my riding a couple of years ago. There was a fellow charged with—I don't know what the formal charge was. Basically, it was cruelty to animals or something like that. It scared the daylights out of him, because he was doing something that yours truly and all my neighbours that were in the hog business had considered a normal farm practice for 40, 50 years. Then all of a sudden, he got charged, and it scared the daylights out of him. He actually paid the fine because he didn't want to go to court; he didn't have the money to do that and whatever else.

So I think it's important that anybody with these types of things has an understanding, at least of what we call normal farm practices. Now certainly, any successful farmer I know with animals, the only way they're going to be successful is if they treat their animals in a manner that's not cruel; they have to treat them well because if you don't treat your animals right, you're not going to make a living.

0940

So I think it's important that anybody who is on this type of thing—you can't know everything but I think it's important that you do have some understanding of what goes on in the agricultural community. I would just broach that to you.

What do you see as one of your main objectives of being on this board? Is it just the adjudicative part of the business or do you see yourself getting more involved into the welfare of animals? How do you see this moving forward?

Ms. Giselle Basanta: As I said, I see it as community services and as a chance for me to hone my own skills in terms of applying the legislation. I see the opportunity to gain the expertise that you've described, not just in the animal care world but also in the fire safety world and the licensing world. I truly see it as a community service. I come with no presuppositions, and independent, open and willing to hear people who are before me.

Mr. Randy Pettapiece: Bob?

Mr. Robert Bailey: Yes, I guess the only question I'd have is, do you have any idea what kind of time commitment this position would take?

Ms. Giselle Basanta: Yes, we've discussed—it's a part-time appointment and a cross-appointment for the three tribunals. I don't imagine that I could tell you that I would be doing three or five cases a month, but I do have a full-time job and a baby so it would have to fit into those kinds of things. So three cases a month, four cases a month I think would be quite doable.

Mr. Robert Bailey: Okay. That's all.

The Acting Chair (Mrs. Kathryn McGarry): Thank you very much, Mr. Bailey. The next set of questions will come from the third party. Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Giselle Basanta: Good morning, sir.

Mr. Wayne Gates: Nice seeing you.

Ms. Giselle Basanta: You too.

Mr. Wayne Gates: Maybe a follow-up to my colleague's question is, do you have any expertise, never mind just around farming—I'll be honest with you, I don't know a lot about cows myself, but they are very important to the overall health of our economy for sure. Do you have any experience in the Licence Appeal Tribunal, the Fire Safety Commission or the Animal Care Review Board at all, or are you just looking at this as an opportunity to learn about these things and give back to the community?

Ms. Giselle Basanta: Well, I have dealt with issues around fire safety on behalf of the school board as a lawyer, so I do have some experience with that act. But particularly on the animal care subject matter, I would say no, but these are the kinds of things you gain, I think, when you have part-time chairs because there is expertise in the cluster that people like me can access.

The task or the issue or the objective before me is again to be an independent professional adjudicator who can apply legislation with humanity and fairness, to be

judicial and to serve the people of Ontario. I'm ready and able to do that.

Mr. Wayne Gates: So you don't have any concerns around getting training for this particular cluster which is kind of—they don't really flow together. I don't know if animal care and fire safety really go together very well. I don't know who picked this cluster together. I would think if you're picking clusters, it might be a better idea if you put clusters together that match, but that's out of my hands and certainly out of your hands. Do you have any concerns around the training part of it?

Ms. Giselle Basanta: None at all. Looking forward to it.

Mr. Wayne Gates: I found it interesting that you mentioned that when you went to school for political science, it was under the Bob Rae government and we were in a recession very similar to what we're in today. Actually, Bob Rae is now a Liberal; I didn't know if you knew that.

Ms. Giselle Basanta: I did know that.

Mr. Wayne Gates: I thought I'd raise that at this point in time. Seeing that you raised it, I thought I'd remind you about where he is today.

You've said a little bit about it, but what really motivated you to do this? It seems like you believe it's going to help your career a little bit, expand your career.

By the way, I'd like to compliment you for going to law school at—I believe you said your age, but I'm not going to say it because sometimes women don't like you to mention age. I thought that was very good that you've done that. Through the conversations with my colleagues as well, you've talked about having a full-time job, having a baby and going to law school. Obviously, you're very motivated to better yourself, and I congratulate you on that.

You can answer the other question about what motivated you to get it. I might have helped you with it a bit. But I just thought I'd say that because I think that's really good on your part.

Ms. Giselle Basanta: Well, it's certainly not just self-interested. I consider myself a public servant, and this is one of the ways in which I would like to serve. I also would like to hone these particular skills and get back to this idea of being the independent third party, neutral. I think the previous intended appointee talked about that also.

This is very satisfying work; it's intellectually vigorous, especially in this tribunal. This is about community standards. This is about keeping each other safe and helping people move through difficult issues and getting ahead—whether it's getting a liquor licence so that you can become an entrepreneur. So what's motivating me is service and intellectual pursuit.

Right now, I have no plans to be a full-time adjudicator; I have a job. But, yes, this is quite a sidebar.

Mr. Wayne Gates: When I went through your thing—I thought it was very successful. Quite frankly, I'm one of the ones who actually enjoyed the Toronto Pan Am and Parapan Am Games, as far as the athletes

go. The other stuff is a whole different thing. But as far as the athletes and pride in our country and our province, I think it came across really well.

I saw that you were on the organizing committee. Maybe just kind of talk a little bit about that, on exactly what your role was.

Ms. Giselle Basanta: I was part of the legal team, and it was a wonderful experience. The team was professional, smart and hard-working. My job was to support the board of directors. I was the governance person. I was Madam Clerk here. I made sure that the records, the minutes, the committees ran, the chairs were notified, the rooms were booked, and that any thorny issues that arose were dealt with so that we could have a smooth governance process, so that it didn't stand in the way of decision-making and moving the games forward on their tight timeline. That was my job.

Mr. Wayne Gates: Just a follow-up question, because you had raised it, about an independent board: We don't always see that in government. I think that any time that we're going to have a truly independent, hands-off board, it can work, but a lot of times governments try to control that.

The other thing that I was interested in that you spoke about was your labour background. Although you only touched on it briefly, did you bargain collective agreements? You did mention OPSEU. Maybe touch a little more on that. I have a bit of a labour background myself, so I was kind of interested in that.

Ms. Giselle Basanta: My career on the employment, on the HR side, began in 1992. I worked for the ministry as a labour relations officer. I dealt with grievances within the ministry—mediation, pre-hearings, arbitration—as a layperson. So I really got to learn what it meant to be just a regular person, part of the HR professional staff who tried to solve issues between the employer and the bargaining unit. One of the most satisfying experiences was after the first OPSEU strike; we managed to settle—to the honourable member over here's question—quite a number of strike-related grievances so things wouldn't hang around and fester and affect the relationship. This relationship is a long-standing one and it's important to the people of Ontario.

Mr. Wayne Gates: There is this myth out there that if you belong to a union—I've been a president of a major local union down in my area, and I just want to get it on record that 90% of all collective agreements are resolved without a labour stoppage. I think that's an important thing for people to understand, because you only hear about the strikes. I did about 150 collective agreements and had one three-day strike out of all those.

0950

At the end of the day—and I think you have to agree with that. Both parties, quite frankly, don't want a strike. The members don't want a strike. In most cases, like I said, 97% are resolved without one. I think you probably realize it as well, and that's kind of why I raised it with you.

Ms. Giselle Basanta: Absolutely.

Mr. Wayne Gates: I enjoyed talking to you. Thank you very much. Congratulations.

Ms. Giselle Basanta: Thank you very much, sir.

The Acting Chair (Mrs. Kathryn McGarry): This concludes the time allocated for this interview. Thank you very much, Giselle, for standing for nomination for the Animal Care Review Board, the Fire Safety Commission and the Licence Appeal Tribunal. We will be considering the concurrences following the interview.

Thank you very much. You may step down.

Ms. Giselle Basanta: Thank you very much, Madam Chair.

The Acting Chair (Mrs. Kathryn McGarry): Committee, we will now be considering the concurrences.

We'll start with considering the concurrence for Jennifer Khurana, nominated as member, Human Rights Tribunal of Ontario. Would somebody please move the concurrence?

Mr. Lou Rinaldi: Chair?

The Acting Chair (Mrs. Kathryn McGarry): Yes, Mr. Rinaldi.

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Jennifer Khurana, nominated as member, Human Rights Tribunal of Ontario (Social Justice Tribunal of Ontario).

The Acting Chair (Mrs. Kathryn McGarry): Any comments? Any discussion? Mr. Bailey.

Mr. Robert Bailey: I was going to second it.

The Acting Chair (Mrs. Kathryn McGarry): Oh, okay. Are the members ready to vote? He's eager. All in favour? Opposed? That motion is carried.

We will now consider the concurrence for Giselle Basanta, nominated as member, Animal Care Review Board, Fire Safety Commission and Licence Appeal Tribunal.

Mr. Lou Rinaldi: Madam Chair?

The Acting Chair (Mrs. Kathryn McGarry): Mr. Rinaldi.

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Giselle Basanta, nominated as member, Animal Care Review Board, Fire Safety Commission and Licence Appeal Tribunal.

The Acting Chair (Mrs. Kathryn McGarry): Any discussion? All those in favour? Opposed? The motion is carried. Thank you.

COMMITTEE BUSINESS

The Acting Chair (Mrs. Kathryn McGarry): Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I seek unanimous consent to schedule Renu Mandhane, intended appointee for the chief commissioner of the Human Rights Commission, for review by the committee at the earliest available opportunity.

The Acting Chair (Mrs. Kathryn McGarry): Do we have unanimous consent? All those in favour? Opposed? That motion is carried.

Mr. Lou Rinaldi: Thank you. And maybe for clarification—

The Acting Chair (Mrs. Kathryn McGarry): Yes, Mr. Rinaldi.

Mr. Lou Rinaldi: —obviously, the House is adjourned for Monday and Tuesday because of the plowing match next week, so I'll be following that sometimes.

The Acting Chair (Mrs. Kathryn McGarry): Thank you. That's actually a very good segue into our next set of considerations before us this morning: extensions of deadlines considering some of the appointments.

Again, if the House is adjourned for the next week, some of these appointments will be out of time by the time the committee next sits. We're going to go through these one by one, if that's okay.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Jeffrey Remedios, nominated as member, Art Gallery of Ontario? The extension expires September 26, so this would be extended to October 26, 2015. Do we have unanimous consent? That is carried.

Committee, do we have unanimous agreement to extend the deadline to consider the intended appointment of Gita Anand, nominated as vice-chair, Ontario Labour Relations Board, to October 26, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of William Fisch, nominated as member, Metrolinx, to October 26, 2015? Agreed. That motion is carried.

Mr. Randy Pettapiece: Madam Chair, can I interrupt you for a minute?

The Acting Chair (Mrs. Kathryn McGarry): Yes, Mr. Pettapiece?

Mr. Randy Pettapiece: Did we have a list of this, or was it sent out, for what we're doing here? I don't see it in my notes. I just wondered if—

Interjections.

Mr. Randy Pettapiece: We can get it after. I just wondered if we could have this stuff before, so that we could look this stuff over. That's all I'm saying.

The Acting Chair (Mrs. Kathryn McGarry): Yes, noted. Thank you.

Mr. Randy Pettapiece: All right, thanks.

The Acting Chair (Mrs. Kathryn McGarry): Committee, do we have unanimous agreement to extend the

deadline to consider the intended appointment of Sylvia Chrominska, nominated as member, University of Western Ontario Board of Governors, to October 26, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Marisa Piattelli, nominated as member, Committee to Evaluate Drugs, to October 22, 2015? Agreed. That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Simone Thibault, nominated as member, Provincial Advisory Committee on Francophone Affairs, to October 22, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Jessica Smith, nominated as member, Trillium Gift of Life Network, to October 22, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Julie Di Lorenzo, nominated as member, Toronto Waterfront Revitalization Corp., to October 22, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Bahareh Hosseini, nominated as member, Council of the College of Massage Therapists of Ontario, to October 27, 2015? That's carried.

Do we have unanimous agreement to extend the deadline to consider the intended appointment of Guy Freedman, nominated as member, Local Health Integration Network, Champlain Local Health Integration Network, to October 27, 2015? Good. Thank you. That's carried.

All right, members, just one other piece of business this morning. I know that as part of the mobile pilot project, we have folks that were coming in to gather MPP feedback on the delivery of committee documents to the MPPs' pilot iPads. Due to the fact that the Chair is missing and the Vice-Chair is missing, I'm just wondering how the committee feels, to maybe have that after the next committee meeting rather than today. Is that okay? Can we vote on that motion? Yes? Okay. Any dissenters? Okay, that motion is carried.

That concludes committee business for today. Thank you very much. Adjourned.

The committee adjourned at 0958.

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Mardi 29 septembre 2015

Standing Committee on Government Agencies

Intended appointments

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Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 29 September 2015

Mardi 29 septembre 2015

The committee met at 0901 in committee room 2.

The Chair (Mr. John Fraser): I'll call the meeting to order. Good morning, everyone. It's nice to see you again. I miss you guys so much.

Interjection.

The Chair (Mr. John Fraser): He's got a tear in his eye; there we go.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): To begin with, we have our subcommittee reports. Our first order of business is to call the subcommittee report dated Thursday, September 24. Can someone please move the adoption of the report?

Mr. Randy Pettapiece: I move adoption of the subcommittee report on intended appointments dated Thursday, September 24, 2015.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Carried. Great.

INTENDED APPOINTMENTS

MS. RENU MANDHANE

Review of intended appointment, selected by third party: Renu Mandhane, intended appointee as member and chief commissioner, Ontario Human Rights Commission.

The Chair (Mr. John Fraser): Our first intended appointee is Ms. Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission. Ms. Mandhane, can you please come forward. Thank you very much for being here this morning.

Ms. Renu Mandhane: Thank you for having me.

The Chair (Mr. John Fraser): You may begin with a brief opening statement. Any time that you use will be taken from the government's time for questions. You'll be questioned by members of all three parties, beginning with Mr. Gates. Thank you again for being here. You may proceed.

Ms. Renu Mandhane: Good morning. Thank you for having me. I will try to keep my remarks brief so that we have some time for engagement.

Since my nomination was announced in August, I have received notes of congratulation from around the world from former Supreme Court justices, past foreign ministers and Governors General, law deans and univer-

sity presidents, grassroots activists and social justice lawyers, neighbours, colleagues and otherwise concerned Ontarians. In the human rights sector, my nomination has been heralded as evidence that the public appointments process can deliver the right person for the job. The Toronto Star headline read, "Human Rights Watchdog Champion of Underdogs."

I sincerely believe that I am the right person for the job of chief commissioner of the Human Rights Commission. I will bring intellectual depth and rigour, bold yet pragmatic leadership, and the highest standards of integrity and professionalism to the role.

Foremost, my deep and unwavering commitment to human rights makes me uniquely poised to lead the commission. I am a lawyer with a graduate degree in human rights law from New York University, and have been called to the bar in Ontario since 2002. While I am relatively young, I have already had a long and distinguished career focused on the rights of the most marginalized members of our society.

As a student, I became involved in the women's movement, delivering public legal education seminars to survivors of gender-based violence, advocating for women's reproductive rights, and quickly taking on leadership roles on the board of directors of a number of local organizations.

After articling at Torys on Bay Street, I got right back into the trenches as a criminal lawyer focused on representing women in conflict with the law, survivors of sexual abuse, and prisoners. This made me keenly aware of the systemic discrimination facing aboriginal people, racialized minorities and those with mental health issues.

Since 2009, I have been the executive director of the international human rights program at the University of Toronto faculty of law, including its award-winning legal clinic. In that role, I have appeared before the Supreme Court of Canada and the United Nations, trained Canadian and foreign judges, and made numerous media appearances nationally and internationally. I have also taught and mentored countless law students.

I have established myself as a trusted ally of countless Canadian NGOs and have an untarnished reputation for credibility and non-partisanship. I'm also a bold and fearless leader who is both strategic and pragmatic. I prioritize lasting impact over rhetoric and ideology. Precedent magazine, a publication for young lawyers, described me as an "agent of change."

This past year, I led research that exposed rights violations against non-citizens present in Canada. I presented these findings to ministers, MPs and provincial MPPs and urged them to act. I spoke about our report on all major Canadian news outlets. I wrote op-eds. I presented my findings to the UN in Geneva. I did this despite the fact that other lawyers and NGOs felt immense pressure not to voice their concerns. In so doing, I think I helped to open space for a more humane and rights-focused conversation about migrants, a conversation that seems to continue on today.

I hold the highest standards of integrity and professionalism, and will ensure that I remain accountable to the people of Ontario in all my work. I will be guided by the goals of the commission at all times—namely, to ensure that Ontario remains a leader in the fight against discrimination—and never by my personal ambitions or opinions.

A lot has changed since the Human Rights Code was enacted in 1962. We now have constitutional rights protection and a flourishing civil society working on these issues. I'm excited to lead the commission and to ensure that it has a strong and relevant voice in an increasingly crowded field, and to ensure it has a positive impact on the lives of the most vulnerable members of our society.

The Chair (Mr. John Fraser): Thank you very much, Ms. Mandhane. Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Renu Mandhane: Good. How are you?

Mr. Wayne Gates: Sounds like a very impressive resumé.

Ms. Renu Mandhane: Thank you.

Mr. Wayne Gates: Question: One of the things that I think is on the minds of everybody, certainly over the last few weeks, is the Syrian crisis. What are your feelings on the situation that's going on there, and what do you think Canada should do or not do?

Ms. Renu Mandhane: First of all, I'd say that I would be speaking personally, because I don't believe that this falls within the jurisdiction of the commission, per se. But actually, right now, my program at U of T is engaged in research on some of the barriers to resettlement of Syrian refugees. We actually had researchers in Jordan and Turkey interviewing survivors of the Syrian atrocities as well as policy-makers and members from the UN. So we're actively poised to be releasing research after I'm gone, in December, on some of the barriers in the system. Obviously, I think Canada should continue to play a leadership role in providing humanitarian assistance, but I think what we need now is not just more commitments to increased numbers but actually addressing some of the bottlenecks in the system that are really meaning that people can't get to Canada as quickly as they otherwise could.

Mr. Wayne Gates: You said something that jumped out at me: You're a "fearless leader." Somebody said that about you. How do you look at yourself on that? Can you explain why you feel you're a fearless leader, or others may feel that way about you? I kind of like that.

Ms. Renu Mandhane: I think that because in this field there is a lot of tough issues and there is a lot of different stakeholders, and I think you need to always be weighing the approach. You always want to work collaboratively with government and with other stakeholders, but I think you also need to, I guess, be fearless when you need to be in terms of really using some of the other powers that you might have. In my current role, that means that we obviously do lots of advocacy that is aimed at government, through meetings and through correspondence, but we also engage at the Supreme Court in interventions and more legal strategies. I think just being unafraid to do that when it's warranted.

Mr. Wayne Gates: It's a lot like a politician. Fearless leaders.

Ms. Renu Mandhane: I guess so.

Mr. Wayne Gates: I guess, yes. You said in your opening comments—although you didn't speak for a long period of time, you did say a lot—that you want to be an agent for change. Can you explain more on that, and maybe touch a little bit on what you think are some of the most important issues facing Ontario and Canada today?

Ms. Renu Mandhane: First of all, I think that the real reason I use the words "agent of change" is more just always being focused on impact. What is the impact of every action that the commission takes? I want to make sure that we are really impact-driven.

0910

The whole system has been going through a lot of changes. In 2006, there were changes to the commission's role, so I think that embracing that new role of not dealing with complaints but actually dealing with persistent systemic discrimination—so being bold in considering what those sorts of areas are and then really focused on what is the impact this unique organization can make.

I think what I'm really interested in is going from—I've always been in an outside role, either in the NGO role or at the university, and what is the change that you can make from the arm's-length government-type role.

Mr. Wayne Gates: You mentioned mental health. Can you elaborate a little bit on mental health? Because I think that's certainly misunderstood in our society.

Ms. Renu Mandhane: We've done quite a bit of research at the clinic that I run on mental health as a disability, and really understanding mental health and stigma and discrimination that people with mental health issues face, as a form of discrimination on the basis of disability.

I think that is a very cutting-edge sort of idea, because it's actually adopting what some people see as a health issue and making it a human rights issue. I think when we see the over-criminalization of people with mental health issues, and the kinds of negative interactions they often have in prisons or with police, we really do need to see it as a systemic discrimination issue.

Mr. Wayne Gates: A surprising stat to me on mental health is one in five and growing. It's certainly misunderstood by a lot of people in society—not just jails;

even workplaces. I see it a lot in workplaces, where people don't understand the mental health issue at all.

Ms. Renu Mandhane: I think we're in a really exciting time. I think even in the last five years, we've seen an opening of conversations about mental health. I feel like the Human Rights Commission can play a role in reformulating some of those conversations as being about rights, and I think that that can be quite powerful.

Mr. Wayne Gates: The last question I'll ask you about is, you've been involved as a lawyer around sexual abuse.

Ms. Renu Mandhane: Yes.

Mr. Wayne Gates: I just wanted to compliment you on that, because it is a huge issue and not a lot of lawyers take it on. I'm glad that you're doing that and sticking up for women. Congratulations. I'm sure you'll be fine through the process. It's nice talking to a young lady who wants to give back.

Ms. Renu Mandhane: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. On the government side: Madame Lalonde.

Mrs. Marie-France Lalonde: Thank you very much—

The Chair (Mr. John Fraser): You have about six minutes.

Mrs. Marie-France Lalonde: That's fine.

I want to say thank you for being here. You're describing yourself as young, but I hear certainly a wealth of experience already. Maybe I can ask you, what's your interest in putting your name forward and being our commissioner?

Ms. Renu Mandhane: Why I applied for the job?

Mrs. Marie-France Lalonde: Exactly.

Ms. Renu Mandhane: First of all, I've been at U of T for a while; I've been there since 2008. So in a lot of ways, I wanted a change and I was ready to kind of—I think I had gained a lot of the skills in a very parallel sort of world. The university is quasi-government in a lot of ways. I was quite excited to bring the senior leadership skills that I had gained at the university to a larger playing field. Obviously, in this field, there aren't a lot of opportunities to grow, so this was, to me, a very unique opportunity. I can say openly that I had never applied for a job before this role came up. For me, this spoke to taking the skills that I had already built and really engaging at a different level.

The last thing I would say is I'm really excited about working in Ontario, because Ontario, internationally and nationally, is seen as a leader on many human rights issues. Some people could say, "Why do you want to work in a province that has such great human rights protections already? What's the impact you're going to have?" But I actually think that on some of the work that the commission is doing related to sexual minorities, mental health, carding—those could have ramifications across other jurisdictions, so I'm really excited to be at a place that's really on the cutting edge of human rights protection.

Mrs. Marie-France Lalonde: Thank you very much.

Ms. Renu Mandhane: Thanks.

The Chair (Mr. John Fraser): Thank you very much. Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you, Chair. Good morning.

Ms. Renu Mandhane: Good morning.

Mr. Randy Pettapiece: Is it Mandhane?

Ms. Renu Mandhane: Mandhane.

Mr. Randy Pettapiece: Thank you for coming this morning. I see you have experience with the Canada committee of human rights?

Ms. Renu Mandhane: Yes.

Mr. Randy Pettapiece: Can you expand on that? What experience from this committee will you bring to the Human Rights Tribunal of Ontario?

Ms. Renu Mandhane: Sure. Human Rights Watch is one of the largest human rights NGOs in the world. They have quite a stellar reputation for non-partisan research and research that speaks to the voices of vulnerable people but is also rigorous and has the highest standards of credibility. With the Human Rights Watch Canada Committee, for a period I co-chaired their advocacy committee. In that capacity, for example, we conducted meetings with MPs on Parliament Hill to let them know about some of the research that Human Rights Watch was doing, including on missing and murdered aboriginal women.

I think the biggest thing that I've learned through that role is maybe not as interesting, but it's that Human Rights Watch is a very big organization, and so you really need to understand your role within that organization. On the Canada Committee, our priorities were dictated by the New York head office and so we really took direction from them as to what their priorities in Canada were, and really understanding how the organization works and how we could further the impact of their work.

Mr. Randy Pettapiece: Okay. Is there anything that you plan to prioritize or champion as chief commissioner?

Ms. Renu Mandhane: I don't actually have any set ideas. Obviously, the commission is already doing work on a number of issues that I think we'd want to continue doing. I've been getting briefed on, for example, creed and racial profiling and carding, and so I'd want to continue the work that the commission is doing in those areas.

I think that one of my priorities would be to establish a transparent process for how we choose the issues that we want to work on—developing criteria for when and how we decide what issues we want to work on. I did that in my role at U of T, obviously in a smaller capacity, but that has been very helpful in terms of communicating with stakeholders on how we actually determine the issues that we want to work on.

The last thing I would say is that I was in Geneva in July participating in Canada's review by the human rights committee, and there is quite a privileged role

given to what they call NHRIs—national human rights institutions. I'd like to explore the way that Ontario could engage at that level, to be a leader internationally on some of these issues.

Mr. Randy Pettapiece: In regard to current public policy on human rights, what changes do you believe are needed?

Ms. Renu Mandhane: That's a big question.

Mr. Randy Pettapiece: How much time have we got?

The Chair (Mr. John Fraser): Six minutes and 29 seconds.

Ms. Renu Mandhane: You know what? I don't feel like I could really answer that question in the time we have, but also in the background that I have. I've been working at the international and federal level. I'm quite aware of the issues in Ontario just as a layperson reading the news, etc., and I would say that obviously issues related to aboriginal people is huge and needs to be part of what the commission is working on; persistent discrimination based on race, especially in policing, is a big issue; and mental health, as I mentioned. But I think one of the unique things about the commission as opposed to even the charter is that it has jurisdiction over employers and landlords and people who are not part of government, so I think that needs to be a priority for the commission as well.

0920

Mr. Randy Pettapiece: As an educator, what plans do you have to educate the public on their rights and ensure that those responsible for upholding human rights are aware of their obligations?

Ms. Renu Mandhane: I think, already, the commission has done a lot in terms of putting out policy papers and documents that really aim to educate the public but also key stakeholders about how the Human Rights Code should be interpreted progressively. I think the next stage of that is—and I think we've started this—translating that for this next generation.

Before I started in the program at U of T, the program didn't have a Facebook account, and basically I was told that we didn't even exist unless we had a Facebook account. I think it's also just being creative as to how you actually get that information out to different stakeholders who might not come to the website or might not engage in conventional means.

I think that that's a challenge in terms of, how do you actually translate the work that you're doing into something that people understand?

Mr. Randy Pettapiece: I would suggest that unless you're involved in something like this, in this process, on whatever side you're on, you really don't know a lot about it, until you're involved with it. It certainly might frighten the ordinary person if they got involved in this commission. What do they say? "Ignorance of the law is no excuse"—I think that's the term that's used. Still, in all, it's very difficult to keep up with everything. That's why this question is quite important to me, that any commission such as this is fair to both sides. Just because you didn't know something doesn't mean you're yielding to doing something. I'm just saying.

The former chief commissioner listed the area of competing rights as business that has been left unfinished upon her departure. Do you agree, and is this an issue that you plan to address?

Ms. Renu Mandhane: I think in a modern, multi-cultural society like Ontario, this is a pressing issue. We're seeing at the federal level all of the debates about the niqab and whether you can wear it at a citizenship ceremony. To me, that's a very classic competing rights issue, and so I think that we would definitely need to continue to engage on that issue. My understanding is that the commission, a few years ago, did put out a step-by-step framework as to how you would actually assess a competing rights argument. But I think this is something that is going to continue to come up over and over again.

The value of the commission is, I think, rather than engaging in individual disputes over competing rights, to articulate that framework of how do we really think about reasonable accommodation and how do we assess rights claims that do come in conflict with each other? But I think this is, quite honestly, one of the most pressing issues facing human rights internationally, federally and locally. I can't imagine that we wouldn't continue to work on that issue.

Mr. Randy Pettapiece: Okay, thank you.

The Chair (Mr. John Fraser): Mr. Bailey?

Mr. Robert Bailey: I'll just be a moment. I think everybody has pretty well asked all of the questions on the issues that I would have liked to have raised.

Reading your resumé, I think you're very well prepared and very well set to do a good job. I wish you well.

Ms. Renu Mandhane: Thank you so much.

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey and Ms. Mandhane.

This concludes the time for our interview. Thank you very much for being here this morning. We will consider the concurrences at the end of our meeting, after we're finished our interviews. You are welcome to stay if you like.

Again, thank you very much for being here.

Ms. Renu Mandhane: Thank you so much.

MR. WILLIAM FISCH

Review of intended appointment, selected by third party: William Fisch, intended appointee as member, Metrolinx.

The Chair (Mr. John Fraser): Our next intended appointee is William Fisch, nominated as member, Metrolinx. Mr. Fisch, can you please come forward?

Thank you very much for being here this morning. You will have time to make a brief opening statement. Any time that you use will be taken from the government's time for questions.

Just before we begin, I actually started in the wrong order, so it's the official opposition who will get the first round of questions this time around, just so you're aware.

Mr. Fisch, you may begin.

Mr. William Fisch: Thank you very much, Mr. Chair and members of the committee, for inviting me to this meeting. It's a pleasure to be here. I'm really here to give you my qualifications, my experience with regard to Metrolinx.

Excuse me; I'm going to get some water because I've had a cold all weekend.

So let me say, I'll start with my education, if I might. Way back in 1971, I graduated from Queen's University with a bachelor of commerce degree in accounting and finance. I went into accounting for a very brief time. It wasn't for me at all and I decided to go into law school. I'm pleased to say I graduated from Osgoode Hall Law School in 1974 with a doctorate of jurisprudence.

I practised law for about 20 years. About six years into my practice I got involved in community events. I should tell you, and most of you will know, that once you get involved in your community, the political bug can grab you pretty quickly and before you know it, you're involved in many different things across your community.

As a result, in 1988, I ran for ward councillor in the town of Markham, now the city of Markham. I represented the Thornhill area. I had two terms as a ward councillor—1988 and 1991. In 1994, I ran and won as a regional councillor for the town of Markham, as it was then, now the city of Markham. Three years later, I was elected chairman and CEO of the region of York. I'm pleased to say I spent five wonderful terms as the chair and CEO, 17 years as the chair. Last year, after about 15 years, I realized it was time to bring my post to an end, let others get involved, but more importantly, let myself get involved in other things. As a result, I voluntarily retired, not happily to my council; they tried to keep me on, but I was pretty adamant with it and I did retire in December of last year.

When you're involved as the regional chair, you get involved in many things across the GTA in particular, but the province as well. During my tenure as chair, I was involved in many Ontario committees as well as many committees across my region, of course, many charities—much involvement in many boards and committees across the region.

I'm particularly proud of a few boards that I sat on. First, the police services board of York region: I was on that board for 20 years. I was the longest-serving member of our police services board ever. I'm very proud to say that a few months ago, the police service decided to change the name of their headquarters and place my name on the building. I can tell you, that's quite a thank you. I was very surprised when they did that and very pleased, of course.

I was a member of AMO, the Association of Municipalities of Ontario, for nine years and I chaired MARCO. All these acronyms can drive one crazy in this business, but nevertheless, MARCO is the Mayors and Regional Chairs of Ontario. I chaired that committee for five years.

I sat on the Oak Ridges moraine panel about 12 or 13 years ago, I think. I sat on the Smart Growth Panel also 12 or 13 years ago, and I chaired the waste management

portion of that panel—a number of other things that I was involved in, as I'm sure all of you can appreciate. I know that you all know what the regions of the GTA are and beyond the GTA. The chairs get involved in quite a bit.

In the transportation file, which is what I'm really here about, I've had a great deal of experience. I did sit on the GO Transit board for nine years and then moved over to the old—I'll call it the old—Metrolinx board, which was the original board that was started in 2006, for about four years, and then they switched over to Metrolinx. Now that I am retired, I've been asked to consider coming back to that board and I'd be very pleased to do so.

Within the region, however—and some of you may know that the region of York has been a leader in the transformation of transit across our region. I have to say that I've come to the realization that maybe I actually led the charge without quite realizing it. York Region Rapid Transit Corp. was formed in about 2002. We amalgamated all of our transit organizations across the region and we began to grow very dramatically from that time frame. We are now known as Viva.

You may have heard about Viva; it's world-renowned. We've won awards across the world—internationally, nationally, within our province and here at home. I'm very proud of what we've accomplished. We are the first municipality to get funded, way ahead of all municipalities across Ontario, including, I might say, the city of Toronto, even though they can get funded very easily, generally. We moved forward very quickly, expanded our transit system dramatically, expanded our ridership threefold in about 10 years and made a real impact, I think, not only in the region of York but across the province.

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I think many other municipalities—I'll use the phrase—have copied us, which I think is a good thing. We were the first BRT to be formed. We're now building about \$2 billion worth of infrastructure within the region of York, thanks to the government, in fact, in terms of the monies that they have provided. I think we're headed to an incredible system in York region, and as a result of that, I think we've made real impacts across the GTAH.

I know I was very proud of the work that we did in Metrolinx to get things started from 2006 to 2009, and here we are today, I think, making true inroads across the GTA, across the GTAH and, I think, way beyond that as well. I'd like to continue to be a part of that, and that's why I'm here with you this morning.

On that note, Mr. Chairman, I'm happy to answer any questions, if I can talk any longer.

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch.

There we go: Mr. Pettapiece. Oh, Mr. Bailey.

Mr. Robert Bailey: Yes, I'm going to go first here. He gets all the questions, so I'm going to ask a couple.

Mr. William Fisch: Okay, who's going first?

Mr. Robert Bailey: I wanted to thank you for coming in today. I actually ride your transit system. I don't know

how many of the other members do, but I ride it on a regular basis.

Mr. William Fisch: I'm glad to hear that.

Mr. Robert Bailey: Yes, and so I want to commend you. I'm very impressed. I come from a riding way over, Sarnia-Lambton. I wish I could get the GO train from Sarnia. Maybe eventually you'll get there. We'll have to have a chat about that some time.

I was interested in your conversations there about the expansion into further rural areas, Kitchener and further out, and I certainly commend it. I think we need to get more people off the road. When I'm on GO Transit and I'm going by there, and I see everybody sitting on the Gardiner not moving—I drive to Aldershot and come in from Aldershot. I can't say enough about it. I even qualify for the reduction. I had a special birthday last month, so it's pretty reasonable. It's a pretty reasonable—

Mr. William Fisch: Congratulations. You finally hit 50. Is that what happened?

Mr. Robert Bailey: Yes. It's a pretty reasonable way to travel.

Those are all the questions I have. I just wanted to commend you on the system and encourage as many people, if they're not riding it, to certainly take an opportunity and use it.

Mr. William Fisch: Thank you.

The Chair (Mr. John Fraser): Mr. Pettapiece?

Mr. Randy Pettapiece: Thanks for coming in this morning. As a previous member, you must have looked at the system and the way it is now. Do you have any idea of any changes you'd like to make in the system?

Mr. William Fisch: Well, it's interesting that you say that, because five years ago, when I left the board, the task of the board at that time was to prepare the plans for the future and hopefully get something done. I've reviewed what the board has done and what Metrolinx has now done, and they are way further ahead than I would have thought we would have been when I was on the board five years hence. They're actually building things. They're growing dramatically—

Mr. Randy Pettapiece: Excuse me.

Mr. William Fisch: Sorry?

Mr. Randy Pettapiece: I'm having real difficulty hearing him.

The Chair (Mr. John Fraser): Can we turn the sound up?

Mr. William Fisch: Am I not talking into the mike well enough?

Mr. Randy Pettapiece: No, it's the noise.

Mr. William Fisch: I've been in this room before. I've heard that noise before.

Mr. Randy Pettapiece: I'm sorry. Go ahead.

Mr. William Fisch: So they're way further ahead, I think, than I thought they might have been when I left the board in 2009. They're actually building things.

Having said that, my expectation is that the board will continue, and Metrolinx will continue, to develop, grow and build a much larger system over the next five to 10

years. It will grow, I think, beyond its present borders, but first it has to deal with its present borders. My expectation is—and I hope to be part of it—that it, GO Transit in particular, will become even more of a mainstay for transit use across wider than the GTA, but nevertheless certainly within the GTA.

Mr. Randy Pettapiece: I come from the Stratford area.

Mr. William Fisch: Ah, yes.

Mr. Randy Pettapiece: We are going to lose our train service. Via is going through; that's the major one. That's the way it looks right now, anyway, unless something really changes that. The Premier, in the last election, had said that two-way GO service was a priority for us out there. That doesn't seem to be in the plans right now. I wonder if you have any thoughts about expanding into the rural areas. Transportation is one of the major concerns in rural Ontario because of the way things are changing. So I wonder, sir, if you have any ideas, or if you've studied that at all—

Mr. William Fisch: Let me say this: York region, even though people think that we're the largest and the fastest-growing region in the province—and probably we are—we still have a very large rural component. It was my job over the last 17 years to assure that not only did our urban areas get service, but our rural and non-urban areas also had an opportunity to be able to use public transit if it was available through both GO and our own system. I helped to convince GO to go beyond what they wanted to go beyond initially, into our rural areas, as well as I ensured that York Region Transit got into some of our rural areas.

Having said that, they're not quite as rural as what you're talking about, and I think it's important to understand that Metrolinx has a specific mandate, a geographic mandate, and they just can't go out, even if they want to, as easily as one would expect. But certainly I think over the next number of years they'll be looking at expansion, and there will have to be discussions in that regard.

There's pressure brought to bear, of course, by—I did it myself as a politician, and I expect all politicians across Ontario who want service do the same kinds of things. But certainly in the next year, as they go through the 10-year review—I was part of that in 2005. Now it's 2015 and we're about 10 years down the road, and I know that Metrolinx is going through a review with the province. It is time for other municipalities, if they wish to be involved with GO Transit, to really push hard.

There are issues certainly, though, with the rail lines. CN and CP do not give up their rights as easily as I thought originally when I got on GO Transit. In 1997, when I got on GO, I thought—and I spoke to the chair of GO at the time. I said, "We just should bring more trains. How simple is the answer?" I didn't know that it was not simple at all and that CN and CP have incredible rights—stronger rights than, in some respects, the federal government. It's not as easy as I expected. Having said that, it can be done, but it takes time and energy, though.

Mr. Randy Pettapiece: I've had several delegations down here meeting with Metrolinx and I understand what

you're talking about. There's just no magic wand here that is going to put a train—

Mr. William Fisch: I thought there was, but it seems there is not.

Mr. Randy Pettapiece: Yes, exactly.

In rural Ontario, certainly we are looking for some sort of a commitment that maybe this is going to happen at some point, and I think that's something that we're missing right now: an interest in doing this. That's something that I hope the people at Metrolinx would at least put on the table.

I understand the other issues—CP and CN or whatever else; I understand all of that stuff. But in our part of Ontario, we feel that we're getting cut off or left out of this discussion, so I would hope that's something you could address when you get there.

Do you believe that the current Metrolinx transit building plans are adequately funded?

Mr. William Fisch: In 2006, when we put the plan forward, we asked for \$50 billion. Even that was not going to be a Cadillac system but a Chevrolet system, if I can use that analogy. I don't think we'll ever be funded well enough, but having said that, as I think I said earlier, York region certainly worked hard to get a certain amount of funding. The present government has provided more funding than I ever anticipated that we would ever consider getting and we're at the \$20 billion to \$40 billion—\$20 billion within the GTHA basically and another \$20 billion elsewhere.

Is it enough? No, I don't think it will ever be enough, but you have to have constraints on your spending. I think the government presently has put a pretty good chunk of change out to get a lot of things done over the next 10 years. I'm very impressed, quite frankly, by what we can accomplish over the next 10 years with the dollars that we have been committed.

Mr. Randy Pettapiece: Do you have any ideas or recommendations on other ways to fund these projects?

Mr. William Fisch: Yes. I was part of a group that talked about various investment strategies. Certainly I'm hopeful that in the future that will come forward again. Fifty billion dollars is a lot of money, and it's pretty hard for us to get those kinds of dollars without making changes to our system. There are a number of ways that have been talked about. Metrolinx has put forward its plan and has adopted three or four different tools that can be used.

Having said that, we are a creature of the government and I think the government has to figure out what dollars they can expend on transit and, as you know, the thousands of other priorities that are on your plate every day. There are a number of tools that can be used. I'd like to be able to look at them. Metrolinx is a place where those discussions can be had, where they can be more public, and hopefully in the future that will be available to grow transit and transportation generally across the province.

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Mr. Randy Pettapiece: I looked at taking the train into Toronto when I was first elected and it just wasn't

working for me. I wish that was available to me. I could certainly drive to where Bob drives to, but I'm almost in—time-wise, it doesn't make any sense. But then I come across the GTA on Sunday at 2 o'clock in the afternoon and I'm stopped in gridlock. It's incredible how this city, even on a Sunday afternoon, can lock up, and we were stopped a couple of times.

I would hope, sir, that you can press the issue forward, if you can. I understand it takes money. There's certainly no magic wand, like you said before, to help this situation, but I think that especially when politicians say that these are priorities and don't follow through with them, it certainly leaves people in my part of the country a little cynical as to how things are being run. That's my comment.

Mr. William Fisch: Well, let me say this: Seventeen years ago when I began on GO Transit in Thornhill, I couldn't get downtown by GO train. I could get down at 7 in the morning, but I couldn't get back until 5 o'clock at night and it wasn't going to be very useful. I remember asking GO Transit, as the representative from York region, "When will you have?"—and I called it—"all-day service?" They rolled their eyes at me. I said, "No, you really have to think about this across the entire system." Today, 17 years later—

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch. That's all the time we have for this question.

Mr. William Fisch: Thank you.

The Chair (Mr. John Fraser): Mr. Gates.

Mr. Wayne Gates: How are you doing, sir?

Mr. William Fisch: Very well, thank you. How are you doing?

Mr. Wayne Gates: I'm good. I see you were a city councillor, a regional councillor. You ended up being the chair. Was that an elected position?

Mr. William Fisch: Elected by council.

Mr. Wayne Gates: So it wasn't elected at large, just by the council members?

Mr. William Fisch: That's correct.

Mr. Wayne Gates: The reason why I ask is that we're having that debate in Niagara—

Mr. William Fisch: I know. I'm sure you are.

Mr. Wayne Gates: —on whether it should be appointed by the fellow 39 or 40, whatever it is.

Did you ever run for a party?

Mr. William Fisch: I did; in 1997, the Progressive Conservative Party, federal government, under Jean Charest. I didn't do very well and am very pleased to say that I was quite happy that I did not do very well. It turned out extremely well for myself.

Mr. Wayne Gates: I might be able to relate to that.

There are a few things. It's interesting that you mentioned that you sat on a panel that took a look at other revenue. Would that have been the 13-member Transit Investment Strategy Advisory Panel?

Mr. William Fisch: No. No, it wasn't. It was the Metrolinx panel. We came forward in 2008 or 2009 with an investment strategy. I think that was the strategy that

was taken out to be reviewed, and I think the panel you spoke of used that as part of their input.

Mr. Wayne Gates: Because they came up with a couple of recommendations that talked about, as you're probably aware, the gasoline and fuel tax and putting some of that kind of stuff on to it. The two recommendations from that panel the government did not use and decided to look at selling off a public asset, such as hydro.

Your question was interesting to me, that you talked about that there's never going to be enough money, and I kind of agree with that. Should we look at selling off other assets or do you have any thought on that?

Mr. William Fisch: No. I think Metrolinx then and now took the correct position, and that is, there are a number of tools that are available which are easy to implement. For me, that was the real methodology. Those tools are available and if we're looking to go beyond the \$40 billion, which is a large amount—if we're looking to go beyond that, I think those are the kinds of tools that would have to be used.

Mr. Wayne Gates: Given the declining ridership of Metrolinx's new flagship, the UP Express—it's now down to 10% capacity—what skills do you bring that will help increase ridership?

Mr. William Fisch: I think certainly the skills that I bring are the skills that I've shown. For example, at York region we increased our ridership from seven million rides a year in 2003 to 23 million rides here, this year. We tripled our ridership in about 10 years. The way you do that of course is by increasing the understanding of your community as to what is available to them, making sure that you have a solid system, a very comfortable ride and one that they'll be willing and wanting to take in the face of so much competition.

In York region, we all have cars; that's the reality that I faced. In fact, in York region we had the highest proportion of four-car families in North America, which means in the world, and that was in 2001. I assumed that we had more cars than most European countries and so on. I knew, in 2001, that if we didn't do something different, we were in very, very serious trouble. So we came out with what is a very incredibly solid, comfortable, good system that our citizens would be willing to take. They only wanted to take a good system; they would not take something that was unacceptable. The same would hold true, I think, with anything that you build.

UP Express, of course, only got started two months ago and had a big push at the beginning, as most new products have. Now I think it's reaching a plateau, and it's going to be up to Metrolinx to grow that system. I've read in the paper, by the way, as we all have perhaps, that they're taking steps—which I'll be a part of, I hope—to grow that system, raise the revenue required to assure that it at least breaks even, maybe even makes a few dollars for the system, but it's just beginning.

I read the news and I'll tell you that I thought that they're a little premature in their concerns. They may be

correct, but we'll know in about a year or two. You don't know in the first two months.

Mr. Wayne Gates: How much time have I got left?

The Chair (Mr. John Fraser): You have about five minutes.

Mr. Wayne Gates: Okay. I'm going to ask you a question but don't take up the whole five minutes because I have another one.

Mr. William Fisch: All right.

Mr. Wayne Gates: I'm just saying you like to talk, so I don't want you to—

Mr. William Fisch: I do. I am a politician, after all.

Mr. Wayne Gates: The new UP Express train currently costs about 30 bucks. It is currently, in my opinion, unaffordable for most people who want to use it. Are you committed to ensuring that any future Metrolinx projects have reasonable price fares so they can actually be used as public transit?

Mr. William Fisch: Yes. I think all our systems could be used in a public way. That's the purpose of the exercise. But at the same time, of course, you have to try and either break even or get somewhere so your subsidy is not too great. The cost of UP Express is actually, if you put your cards right, about \$19. For new people, somebody coming from Europe, they're not going to buy a Presto card; they may consider it, but probably not. Around this city and around this area, it's going to be \$19, which is perhaps a little high, but I think we have to consider the operating costs overall and try to either break even or keep it to some reasonable level of subsidy, as we try in York region for our transit system. That's kind of where we're at.

Mr. Wayne Gates: I can appreciate you saying the \$19, but there are some things you have to do to do that. The second thing is that it's still a lot higher than a lot of other countries that have similar systems.

The question that I really want to get to is—because I think my colleagues over here talked about it as well—that there is another part to the province other than Toronto. The Premier and members from my area—I'm from Niagara, which I'm sure you're familiar with, being involved with AMO and all that kind of stuff; you've been down that way—

Mr. William Fisch: I am; correct.

Mr. Wayne Gates: —and also from St. Catharines and the entire area have all said during the elections that bringing a GO train to Niagara is a priority for the government, meaning the Liberal government, but they have taken no action on that front.

Will you work to ensure that governments follow through on commitments and look at bringing two-way GO service to Niagara? In our area, we believe it's a game-changer. Some of the problems that I see even with Metrolinx—and I found this out last week from a gentleman from Kitchener who used to be a mayor; I can't remember his name off the top of my head. There is nobody on the Metrolinx committee from our part of the province, and I don't believe there's anybody from the north and rural Ontario, which I think is a mistake. I'd appreciate you answering that question.

Mr. William Fisch: Carl Zehr will be a very—I know who you're talking about—good candidate; in fact, I think he's been approved on the board, if I'm not mistaken. He will represent not only his own area but other areas as well, as I would. I've always felt that while I represented York region, I was way beyond York region, and I think my reputation says that.

As far as Niagara is concerned, I did say that in the next six months to a year, there's that process going as to where Metrolinx is headed and what its plans are, and you and others, I'm sure, will be involved in that process. I'm not against it at all, but you have to make a business case. You just can't say, "Let's just send a train out" to pick up nobody, which has happened in my region, by the way, not with trains but with our own buses. Certainly, if the ridership is there, if the needs are there, it can be a game-changer; you're 100% right. It has done that in my region and it should do it in other regions as well, assuming, though, that it makes sense. I think that's the key. Make sure that it makes sense, and I'm sure that Metrolinx will listen to that.

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Mr. Wayne Gates: Well, I don't want—

Mr. William Fisch: I thought you were running out of time.

Mr. Wayne Gates: I don't know how much time I've got. I don't want to get into a debate just on Niagara, but it would be a game-changer. We have 13 million people come to Niagara Falls every year.

Mr. William Fisch: I was there last year.

Mr. Wayne Gates: They have put a business case. I know they met with Metrolinx. But I think it's important to understand all of the problems and how important a service like this could be. The government has promised, I believe, around \$18 billion outside Toronto and I think they have to make sure they are spending that wisely. The business case in Niagara has been very clear, and you being a politician, particularly on the regional—

Mr. William Fisch: Not anymore though.

Mr. Wayne Gates: No, but you were at the table.

Mr. William Fisch: Yes, I was.

Mr. Wayne Gates: And I guess the point I'm going to say is that you know how hard it is to sit around that table of 30 or 40 people and get everybody on board, rowing the same way and saying the same thing.

For the first time in Niagara, every single mayor in Niagara, every single regional councillor and the chair are all saying that we need GO service down to Niagara. They put the business case together. It's been promised by the Premier; it's been promised by Mr. Bradley, who is an MPP in St. Catharines. I guess what I'm saying to you is that I want to make sure that you're aware of it, because you're probably going to make it through this process, how important it is for not only Toronto and Markham and all the other areas that are getting some extra service, some dollars spent. It's got to be spent in other parts of the province if it's going to work.

Mr. William Fisch: I do recognize that.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Your time is up.

Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you. Good to see you, Bill.

Mr. William Fisch: Thank you very much.

Mr. Lou Rinaldi: When I saw "William Fisch," I—

Mr. William Fisch: I know; I meant to say, "I'm Bill Fisch," by the way. That would have been better, but they told me to use my formal name.

Mr. Lou Rinaldi: I just want to get out at the outset, to do my part for the region that I represent, that we too need GO service in Northumberland county and Durham and all of those places. So I've said that.

Mr. William Fisch: Okay.

Mr. Lou Rinaldi: Just putting you on notice.

Mr. William Fisch: Got it.

Mr. Lou Rinaldi: Mine is not so much of a question; it's more of a comment. Certainly you have an impressive resumé from the municipal sector and other agencies that you've worked with. I remember working with you as regional chair when we were doing the Greenbelt and Places to Grow—always a huge participant in that piece, and very, very helpful.

I just wanted to say thank you for what you've done through your municipal and regional work that you've done in the past. Thank you for considering doing this, because even when I look at the remuneration piece of it, for somebody of your calibre to put in that kind of time and effort, I certainly appreciate that it's not for the money; it's really for the community. So thank you for doing it.

Mr. William Fisch: Thank you very much, Lou. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Fisch. That concludes the time for the interview. We will consider the concurrences at the end of the meeting. You may step down. Thank you very much for being here today.

Mr. William Fisch: Thank you. It's a pleasure.

The Chair (Mr. John Fraser): All right. We will now consider the concurrence for Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission. Could someone please move the concurrence? Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Renu Mandhane, nominated as member and chief commissioner, Ontario Human Rights Commission.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Carried.

Congratulations, Ms. Mandhane. Thank you very much.

We will now move to consider the concurrence for William Fisch, nominated as member, Metrolinx. Can someone please—Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of William Fisch, nominated as a member of Metrolinx.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion is carried.

Congratulations, Mr. Fisch. Thank you very much.

That concludes our time for the meeting today. The special project people are here, so if everybody could stick around.

Mrs. Marie-France Lalonde: We're the special project.

The Chair (Mr. John Fraser): We're the special project, yes. I am the special project.

Meeting adjourned.

The committee adjourned at 0955.

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STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 6 October 2015

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mardi 6 octobre 2015

The committee met at 0901 in committee room 2.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): Good morning, everyone. Welcome back to our weekly meeting. We have one intended appointee today, but before we begin our intended appointments review, our first order of business is the subcommittee report dated Thursday, October 1. Can I have someone move it, please? Mr. Pettapiece.

Mr. Randy Pettapiece: I move the adoption of the subcommittee report on intended appointments dated Thursday, October 1, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Any discussion? All those in favour? Opposed? Carried.

INTENDED APPOINTMENTS

MS. MARISA PIATTELLI

Review of intended appointment, selected by official opposition party: Marisa Piattelli, intended appointee as member, Committee to Evaluate Drugs.

The Chair (Mr. John Fraser): As I said, we have one intended appointee this morning. Our first and only intended appointee is Marisa Piattelli, nominated as member of the Committee to Evaluate Drugs. Ms. Piattelli, can you please come forward?

Thank you very much for being here this morning.

Ms. Marisa Piattelli: Thank you.

The Chair (Mr. John Fraser): You will have the opportunity to make a brief opening statement. Any time that you use will be taken from the government's time to ask you questions. Again, thank you very much for being here this morning. The questioning will begin with the government. You may proceed, Ms. Piattelli—10 minutes.

Ms. Marisa Piattelli: Thank you very much. Good morning. My name is Marisa Piattelli. Thank you very much for the opportunity and invitation to appear before you today regarding my potential appointment as the lay or patient member of the Committee to Evaluate Drugs. It's a pleasure to be here and to have the opportunity to talk to you a little bit about my interest and why I put my name forward through the application process for this committee.

You probably have my resumé before you, but to be very brief, I've had the very good fortune to have a varied and successful career in international relations. I spent 22 years in the foreign service as a Canadian diplomat, serving abroad and here on issues related to international relations and trade policy, foreign policy etc.

Most recently, I'm a member of the team at Waterfront Toronto, the organization that's revitalizing the waterfront—one of the largest infrastructure projects in North America. I sit on a number of small and large not-for-profit boards.

While my professional background has helped me to develop a number of important skills and abilities—international trade, investment, infrastructure issues, inter-governmental issues etc.—I really am here today in a personal and volunteer capacity.

The role of the lay member of the committee is to help strengthen the accountability of the work of the committee by providing meaningful public input into the overall drug-funding recommendation process. Because lay members of the committee can't speak to the diverse needs of all Ontario patients, advocacy groups are allowed to submit evidence for new drugs undergoing review. The lay members' responsibility is to present this evidence to the committee when it discusses societal values and patient perspectives.

I feel that I'm uniquely qualified to act as a lay member of this committee for a number of reasons. First of all, not only am I living with a chronic illness, which, by the way, is a requirement of this position, but I have strong knowledge of the health care system. Over the course of the past several years, I have had direct and personal knowledge of the health care system as a user. As a result, I have an acute understanding of the patient perspective, a perspective that I would bring to the committee.

Moreover, as vice-chair of the Women's College Hospital Foundation board of directors, I also understand very well the challenges faced by our health care system and the ever-expanding portion of government expenditures that is represented by health care. I understand the challenge and the need to find innovative, streamlined and more effective solutions to deliver health care. I see that every day at Women's College Hospital.

Just as an aside, one of the reasons I am so proud to be part of that hospital is because of the innovative approach

it takes to delivering health care solutions through research, innovation and education.

It is the first fully ambulatory teaching hospital in Toronto. It's a hospital designed to keep patients out of the hospital. Ambulatory care includes surgeries, treatments and diagnostic procedures that don't require overnight hospitalization. Ambulatory care means greater cost-effectiveness, fewer risks such as infections, and higher patient satisfaction.

I would like to say how very pleased I would be to serve on the Committee to Evaluate Drugs. I believe that I would bring a balanced and value-added element that includes both a patient perspective but also a real understanding of the realities of our health care system.

Moreover, having served on public boards—and I'm accountable currently to a board in my professional life—I believe also that I would bring to the committee some really good experience in good governance, accountability, transparency—all those practices which are absolutely key when you're serving the public and when you're trying to engage the public.

Thank you for the opportunity to speak with you this morning. I'm very happy to take your questions.

The Chair (Mr. John Fraser): Thank you very much, Ms. Piattelli. The government questions: Mr. Rinaldi.

Mr. Lou Rinaldi: Sure. Thank you so much, Ms. Piattelli, and with a good Irish name—

Ms. Marisa Piattelli: I know.

Mr. Lou Rinaldi: —I'm sure we could—anyway, I did go over your resumé, as my colleagues did, and I just want to say that we're grateful that people like you would put your name forward to provide such a function. It has some connections to you personally, which is part of the requirement, but also it touches the lives of so many people in Ontario at their wits' end to find any last hope or any hope there is. So I just want to say that I think you'd make a great member of that group, and we wish you all the best.

Ms. Marisa Piattelli: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much. Now to the official opposition. Mr. Harris.

Mr. Michael Harris: Good morning, Ms. Piattelli. The Committee to Evaluate Drugs obviously has two patient spots, you being the one, and you applied for this position; correct? You did mention your experience as a patient with a chronic disease. I don't know if you want to expand, perhaps, to the committee a bit more on that.

Mr. Lou Rinaldi: Chair, I'm not sure that this committee should dive into personal issues. I think health care issues are really personal. At least to me they are, and I'm not so sure that Ms. Piattelli should be—

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi.

Mr. Michael Harris: The obvious requirement is that that position be a patient, so I think it's appropriate—be it that she qualifies as a patient designate on the Committee to Evaluate Drugs, it's very much apropos.

The Chair (Mr. John Fraser): Mr. Gates has a point of order.

Mr. Wayne Gates: I'm not sure it's a point of order, but I believe—I don't agree with the Liberals very often, but at the end of the day I believe it's not right to ask somebody what their personal medical is. We understand, I believe, as a committee that that's part of the criteria, but we don't have to know what it is. I think we have to take—

Mr. Michael Harris: I think it's important. You don't need to get into the details, but I mean—

The Chair (Mr. John Fraser): Thank you. I'd like to add—you can go forward with your question, but with respect to revealing the personal nature of one's illness, I think we are treading on territory that is personal and private in nature in terms of disclosure. We all know about disclosure of health records, so I would just caution you in that regard.

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Mr. Michael Harris: I think it's important, though, for Ontarians, be it that this representative will represent patients across the province, that one of only two spots given to patients on the Committee to Evaluate Drugs has experience dealing with these issues.

The Chair (Mr. John Fraser): I think—

Mr. Lou Rinaldi: Chair, a point of order.

The Chair (Mr. John Fraser): Just one second. Let's just—

Mr. Michael Harris: Let her answer what she's comfortable with, and we'll go from there.

Ms. Marisa Piattelli: Thank you. I will answer by saying that, throughout my illness, I have worked at my current job. It is something that I separate from my professional life, and happily I've been able to do so.

Let me just say the following, because I think I understand where you're coming from: It is personal, but I would like to answer your question in a broader context. That is to say that, over the course of the last three years, any time that you are involved in a potentially life-threatening situation, you really develop an acute awareness of the privilege of living in Toronto and having access to the hospitals that we have here. I think about people in similar situations in rural Ontario or elsewhere that don't have that similar easy access. You become aware of the privilege, of the cost. You become aware of how important it is to try to address the issues of our health care system so that in the future, people—and every day, really—with similar situations continue to have the wonderful access to hospitals that we do have.

But suffice it to say, my medical record is long, and I can assure you that I do fulfill the criteria of living with a chronic illness.

Mr. Michael Harris: You expand on, obviously, the health care system in general. This specifically is a Committee to Evaluate Drugs. So what is your experience, perhaps, or knowledge of, for instance, rare diseases in Ontario?

Ms. Marisa Piattelli: I'm not a medical doctor. This is a lay position. I don't have a wealth of experience in

rare diseases in Ontario. What I can tell you is that I'm conversant in medical technology. Fortunately or unfortunately, you become conversant with doctors in hospitals and drugs. I now follow with much more interest clinical trials and new drugs that come on the market. I understand the phases of clinical trials now, currently being part of one. So I understand phase 1, 2 and 3, and how long it takes to get drugs to market.

I understand intellectual property issues. Way back, 20 years ago, in a foreign affairs bill—

Mr. Michael Harris: Aside from clinical trials and so forth—I mean, again, this is the Committee to Evaluate Drugs. Ontarians are experiencing frustrations when drugs are approved through Health Canada, and they're even covered by OHIP, but they're not having access to these drugs. This is an important committee.

You talk about living in Toronto and accessing health care and the facilities we have, but there's a large amount of Ontarians who suffer from all sorts of chronic diseases who need pharmaceuticals to treat themselves, but the government continues to stand in their way to treat these people. Rare diseases in Ontario—of course, as the science evolves, more and more drugs will come on the market, and more and more people will need access to them.

Overall, again, how do you believe, as a patient, you'll advocate on behalf of those folks who are running into roadblocks accessing the treatments in terms of pharmaceuticals?

Ms. Marisa Piattelli: The mandate of this committee is a very challenging one. My understanding—not being on the committee but having researched it, and having had a long conversation with the chair of the committee, Dr. Grill, who wanted to speak to me in advance of this process—my understanding of the mandate of the committee is that it's a very difficult one. The committee is supposed to evaluate the effectiveness of a drug. It's supposed to review whether it's interchangeable with a generic drug. It's supposed to look at the cost of the drug. It's supposed to keep the patient perspective in mind. And it's supposed to do that through an evidence-based process. That's the mandate of that committee. That is what has interested me about that committee. It's supposed to do exactly what you are suggesting, which is to try to get cost-effective drugs that actually have an impact in changing the quality of life of patients to market, but it also has to keep all those other criteria in mind.

What I'd like to bring to that committee is a filter that makes sure the committee doesn't lose sight of the patient environment. That's what the lay position is responsible for.

The Chair (Mr. John Fraser): Mr. Harris, you have about three minutes left.

Mr. Michael Harris: How do you see, specifically, your role differ from that of the other members on the committee, be it that these two spots are dedicated to patients?

Ms. Marisa Piattelli: The other members of the committee are doctors, they're scientists, they're researchers,

and they're people involved in the pharmaceutical sector. The lay directors are none of those things. They are patients living with chronic disease but also people who are supposed to have a very good knowledge of the health care system.

The lens that I would like to bring is to ensure that as the committee goes through that evidence-based process—technical and scientific and research-based—that the patient perspective is also brought to bear. The more diverse the views, hopefully, the better ultimate decision one gets.

Mr. Michael Harris: Do you know of anyone or have you had any experience with anyone, aside from yourself, who is living with a rare disease, who has had struggles getting the proper treatment in terms of pharmaceuticals covered here in the province?

Ms. Marisa Piattelli: Well, I have followed the life of the drug Avastin because I have colleagues who suffer from diseases—

Mr. Michael Harris: Is it a covered drug under OHIP?

Ms. Marisa Piattelli: I think it is for some uses like bladder and colon cancer; I believe you can use Avastin. I don't believe it's used for other cancers. So I know of that experience. I talk to them, I hear them. As I say, when you're in the system, you just become more sensitive to drugs and clinical trials and all that.

Mr. Michael Harris: I think the final message—

The Chair (Mr. John Fraser): You have about a minute, Mr. Harris.

Mr. Michael Harris: —is the struggle that Ontarians face on a day-to-day basis. We saw young Madi Vanstone come through Queen's Park, who has cystic fibrosis and needed Kalydeco covered—currently, it wasn't. She was having to raise money through bake sales. The government, through a political process, then listed Kalydeco as a drug. We see patients suffering from aHUS come through here—and Soliris; we're seeing Kuvan and PKU. These types of folks are the ones I'm specifically referring to. I ask that you keep the patients who are suffering from those rare diseases in mind when you're on this committee. I think from a patient perspective, that's an important aspect.

Ms. Marisa Piattelli: Thank you.

The Chair (Mr. John Fraser): Mr. Pettapiece, you have 10 seconds.

Mr. Randy Pettapiece: Thanks for coming out today.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Mr. Gates.

Mr. Wayne Gates: Good morning. How are you?

Ms. Marisa Piattelli: Good morning. Fine.

Mr. Wayne Gates: You mentioned Avastin, and when I took a look at the report, it's probably one of the reasons why we need patients on the committee. In 2009, there was a cap for the funding, where they could only get so many treatments, even though taking the treatments was making them better. Obviously, there was an appeal process that went in, and they came up with that

they're putting the patient at risk. That's why it's important to have patients there. If you can imagine: You're getting better, the drug's working, and it's cut off or it's capped at how much you can use. It doesn't make a lot of sense to me. So to your point on the Avastin, you weren't sure how it worked—that's exactly what transpired on that particular drug.

I think what you bring to the table is what, quite frankly, a lot of us have been talking about for a while. I'm going to give you an example. I don't know if you're aware of Lyme disease or not, but the battle that we're having in my area—although Lyme disease is really going right across the province. But in Niagara, we have a number of cases. They're not finding out—they're saying it's an American Lyme disease, and so we've got some issues around that. I really want you to understand the importance of that particular disease.

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We have people in our area who are going to Florida to get treatment. We have three who—surprising to me—are principals in almost the same area who have Lyme disease and who have had their lives turned upside down. They're going to Florida and they're spending hundreds of thousands of dollars. It should be treated right here in Ontario. It's getting worse.

I wanted to raise that issue with you. I wanted to get it on the record. As somebody who understands the system, when they know there's that disease out there, there's got to be a way to get it paid for so it's not financially—having people lose their homes; in some cases now they're losing their families. So I wanted to raise Lyme disease with you.

You also talked about the health care system. When I take a look at my notes—I'd like to thank the research department that helps us out with this kind of stuff—what it looks like to me is, it's really not about patients; it's about cost-effectiveness. It's not about the patient. In a lot of cases, it talks about how much a drug costs, and whether it's going to be covered. I guess what I'm asking you is, what's the price of a person's life when it comes to drugs? I think that's the issue that somebody like yourself, who has gone through—you said you had gone through the system. I guess that's what bothers me the most around drugs. I believe that there's a better way to do it. I think we should expand generic drugs. We don't do that, and I'm not so sure, from what I'm reading on the new trade agreement that we just did, about drugs and what's going to happen there.

I guess I'm asking you, what's your opinion? Do we pay for it, or do we let the person die? That's kind of where we're at on drugs. It's not a nice thing to say, but I believe it's accurate. I know I'm putting you on the spot, but you have to be that voice for us and for those people who have cancer. Somebody has to be a voice for them, to say, "This is wrong."

Ms. Marisa Piattelli: Right. I don't know how to answer that question. I really don't. I suppose every case is different. I suppose a case-by-case approach is probably the way to go. But if you're asking, is there a point

you can identify to tip the scales one way or another, I don't know how to answer that. Anything that I say might seem to be very personal. I would like all patients suffering from acute diseases to have the drug they need to have a wonderful quality of life, period. That would be an ideal situation.

I think this committee is the committee that struggles with the right thing to do, and I can only hope to be a voice—a reasonable voice—for the patient, to advocate for the patient, and to ensure that whatever decision is made keeps the need of that patient right at the centre. I don't know how else to answer that. It's a tough question. I think this is probably what this committee struggles with. I would be so pleased to try to be that voice, because I think it's easy to get caught up in the research and the evidence-based facts. And that's what they're supposed to do, as well. It's that balance.

Mr. Wayne Gates: I guess it is a tough one, but I don't think you can put a price on somebody's life. Unfortunately, we only go this way once, all of us.

Ms. Marisa Piattelli: I agree.

Mr. Wayne Gates: That's kind of where my heart's at. In my job I've seen what some people have gone through on a daily basis, and it's heart-wrenching to watch.

The other point that I want to make is that—you talk about the health care system, and I think one of the things that I'm hoping you can be a voice for too is to get the message out that I'm not so sure that we don't have enough money for health care, but I think that we have to make sure that it's not all going into corporations that are making profits on it at the expense of patients. I think those dollars could be used a lot more, to your point, in research, drugs or patients. So I think, as one of two patients, that's one I'd like you to bring that voice to as well: It shouldn't be all about making money on health care rather than making sure that patients' needs are met. That's kind of why I'm glad they have patients who have gone through it and seen it. You've seen the people in hospital, your friends. You've made new friends in the hospital, obviously, and you've seen the suffering they went through as well.

Ms. Marisa Piattelli: Indeed.

Mr. Wayne Gates: I wish you the best on the committee. You are only one of two people, like my colleague has said. You're going to be very important on the committee, and I wish you nothing but the best. And in the future I wish you nothing but the best of health.

Ms. Marisa Piattelli: Thank you.

Mr. Wayne Gates: Thanks for coming.

Ms. Marisa Piattelli: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Ms. Piattelli. We very much appreciate your being here this morning and answering all our questions. You may stand down. We'll consider the concurrence at the end of the meeting, within a few minutes, so you're welcome to stay here while we do that.

Ms. Marisa Piattelli: Okay. So you'd like me to hang around?

The Chair (Mr. John Fraser): Yes, if you want to hang around, please do.

Ms. Marisa Piattelli: Okay, great. Thanks.

The Chair (Mr. John Fraser): Thank you.

We will consider the concurrence for Ms. Piattelli, nominated as member, Committee to Evaluate Drugs. Can I have someone—thank you very much. Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Chair. I move concurrence in the intended appointment of Marisa Piattelli, nominated as member, Committee to Evaluate Drugs.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? The motion is carried. Thank you very much.

Congratulations, Ms. Piattelli. Again, thank you very much for being here this morning and for putting your name forward.

One last order of business: The next meeting is Tuesday, October 20. Everybody, enjoy your break week.

Mr. Randy Pettapiece: I want to thank the Chair for ordering those chainsaws this morning. It did keep us attending to what was being said.

The Chair (Mr. John Fraser): There we go. Yes, for those of us who are hard-of-hearing, it was quite handy.

Thank you very much. Committee adjourned.

The committee adjourned at 0926.

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STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 20 October 2015

Mardi 20 octobre 2015

The committee met at 0902 in committee room 2.

SUBCOMMITTEE REPORTS

The Chair (Mr. John Fraser): Good morning, everybody. We should get started so we'll get done on time. Welcome back, everyone. I hope everybody got lots of sleep.

We've got a couple of intended appointees this morning, but our first order of business is subcommittee reports. Can I have the subcommittee reports? Mr. Gates?

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, October 8, 2015.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Carried.

We have a second subcommittee report. Mr. Gates?

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, October 15, 2015.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

As I said, we have two intended appointees this morning. We're just going to make a switch in the order right now.

INTENDED APPOINTMENTS

MS. SYLVIA CHROMINSKA

Review of intended appointment, selected by third party: Sylvia Chrominska, intended appointee as member, University of Western Ontario board of governors.

The Chair (Mr. John Fraser): Our first intended appointee is Sylvia Chrominska, nominated as member, Western University board of governors.

Thank you very much for being here this morning. You'll have the opportunity to make a brief opening statement. Any time that you use for your statement will be taken away from the government's time for questions. Our questioning will begin with the official opposition. You may proceed. Thank you very much, again, for being here.

Ms. Sylvia Chrominska: Good morning, everyone. Thank you for this opportunity to present my qualifications as a candidate for the board of governors of the University of Western Ontario.

First I'd like to share with you my professional background, and then, as time permits, I'll talk about my community involvement.

I retired from Scotiabank some two and a half years ago, having been with them for 33 years. For the first 15 years of my career, I worked in risk, as I had really majored in finance as a student. I ultimately advanced to the position of senior VP, corporate credit, with responsibility for the bank's corporate loan portfolio in the United States, Europe and Japan. I was then asked by the chief executive officer to consider making a transition from risk into human resources and subsequently became the bank's first female executive. Over the next 18 years, it was both challenging and gratifying to be involved in the bank's expansion into some 50 countries around the world and see the bank grow from 50,000 employees to more than 80,000 employees.

Working in a support function required a great deal of consultation and collaboration with the various business lines in order to advance major initiatives and also to ensure that the work that we were doing was relevant to the business. It was often challenging to achieve consensus, to move forward. Resources at the bank were always limited, and it was frequently difficult to get resources for such things as human resources initiatives and also corporate social responsibility.

As head of HR, I worked closely with the HR committee of the board as well as the chair of the board. As a group head, I was a member of a number of key decision-making committees. Amongst the accomplishments that I'm most proud of at the bank are strengthening communications between the bank and its employees, which contributed to significantly improving employee engagement and also our employee survey results. It served to demonstrate, in a meaningful way, I think, our commitment to our people. We were recognized globally as a great place to work. I also facilitated making leadership a strategic business priority, making all leaders responsible for leadership development. Lastly, I made advancement of women a priority and, in doing so, significantly increased the representation of women at senior levels in the bank.

Professionally, I've had the experience of serving on some five corporate boards and currently sit on three, one of which I chair. Through my involvement with corporate boards, I have solid experience in board dynamics and I clearly understand the role of the board as compared to the role of management. I have considerable experience

in governance, as well as having participated in all of these boards in the annual risk assessments.

At Scotiabank, I was fortunate to have an organization that encouraged and also supported community involvement by all of its leaders. Over the years, I've been involved in a number of community-based organizations, in particular, several that focused on women's issues. To name a few: I recently chaired the capital campaign that successfully raised the funds to build the new Women's College Hospital. I also co-chaired the Women of Distinction dinner, which raised over \$1 million for the YWCA. As well, I have been on the boards of several not-for-profit organizations.

I'm a proud graduate of Western and have been on the board of governors of the Richard Ivey School of Business for some 10 years. I'd been involved with the school for many years before that. I worked to establish and arrange funding for the Scotiabank International Case Competition and I personally support scholarships for women who are in need. Two years ago, I had the privilege of participating in the selection committee for the new dean of business. I've really enjoyed my involvement with the school, and recently, on meeting the president when I was given my honorary doctorate, I discussed with him the possibility of contributing to the university in another way, and that's what brings me before you today.

I have met with a number of officers of the university and have reviewed the roles and responsibilities of the board and also of the board members. I feel that my professional background, as well as being a senior leader in a large organization, and also my corporate board experience as well as my not-for-profit involvement, have equipped me to fulfill the responsibilities of a board member at the University of Western Ontario. I'd like to think that I would add value. I made it clear to them that I wasn't interested in a procedural role; I really wanted to do meaningful work and make a real difference.

The Chair (Mr. John Fraser): Thank you very much, Ms. Martow.

0910

Mrs. Gila Martow: Thank you very much. It's a fantastic resumé and experience in the public sector as well as the private sector. I think you certainly would add value.

I understand you want to do meaningful work. I wonder if you have any specific projects. I'd like to see—I know the university works with corporate in terms of getting the kids hand-on experience. Is that something you would like to see happen more?

Ms. Sylvia Chrominska: Well, I think it's very important for any educational institution, university, to do work that is relevant and important in the country and in the community. So to the extent that you can strengthen the ties or the relationships with business or with community to ensure that what you're doing makes sense, I think that's obviously very important.

Mrs. Gila Martow: Fantastic. I'll leave time for others. I just need to disclose that two of my children are graduates of the University of Western Ontario.

The Chair (Mr. John Fraser): Thank you very much, Ms. Martow. Mr. Gates.

Mr. Wayne Gates: Oh, I was waiting for the young gentleman who just showed up. Have you got any questions at all? Are you okay?

Interjection.

Mr. Wayne Gates: I'm sure you do. So do I. After last night, I'm not sure what I'm going to say.

Good morning.

Ms. Sylvia Chrominska: Good morning.

Mr. Wayne Gates: How are you?

Ms. Sylvia Chrominska: Good, thank you.

Mr. Wayne Gates: Good. First of all, I want to thank you for volunteering in a number of organizations. That's always good. You don't have to be nervous with any of my questions.

Something that people talk about, and certainly I'm talking about, because I have a daughter who just went to university this year—and I'll tell you a quick story about that after I ask you the question—is tuition costs. What's your feeling on that?

Ms. Sylvia Chrominska: Well, clearly for the university, one of the challenges is the need to pay its bills and, at the same time, in the face of a reduced ability on the part of the government, to support students. I know that in the case of Western they are working hard on developing a fundraising campaign, and I believe—I don't know this for certain—that a portion of those funds is going to be directed to student scholarships, which I think will also be helpful.

Mr. Wayne Gates: Because we've hardly said anything—and I know you prepared for your write-up and it was very good.

I'll tell you, my daughter, for a number of years, was always going to Western. I always thought it was because that's where her friends were going. It does have a pretty good reputation for having a lot of fun at Western. I wanted her to go to Brock. I offered her a car; I offered that she could stay in residence. I did all that stuff, and my daughter said to me that she loves me but she's going to Western. But I'm happy to say that she's going to take health science at Brock University. So kids have the choices on where they want to go to university. Western is one of the ones that all the kids want to go to. It's a great university. It's a great community. I just thought I'd tell you that, that a lot of kids think of Western, even at a very young age, on where they want to go to university.

Ms. Sylvia Chrominska: One of the things that I didn't realize until I started doing a little bit of research on Western was that their placement rates in terms of employment are a couple of percentage points higher than the national average, and their completion rate—in other words, for people who come to Western, the likelihood of them finishing—is a little bit higher than it is on the national average. So I think that speaks well about what the school does and what it has to offer.

Mr. Wayne Gates: Well, I want to wish you the best. I know you'll get the full support, probably, from the committee that's here today, and I like the fact that you're saying you want to do meaningful work and not

just be a member who says they're on a board. That's great stuff too. So I wish you the best and thank you for coming this morning.

Ms. Sylvia Chrominska: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you very much for being here this morning. It's a very impressive resumé. Thank you for, in a sense, volunteering for the betterment of our education system and producing, I guess, to put it in plain language, a crop of students who were able to have jobs at the end of the day in their field.

As a graduate of Western—and I'm sure that was just yesterday—can you share with us some of your experience—and I think this is a question that has come from all three sides here—of any vision, tomorrow when you leave or down the road, of what you want to see different, or a bit of your thoughts on that issue?

Ms. Sylvia Chrominska: I don't think I can speak to the curriculum, but certainly an issue that has arisen recently at Western is the issue around governance. That was precipitated by the compensation of the president of the university, and that whole issue around administrative leave. I know that they have several governance reviews under way even as we speak. I haven't seen the final reports on the broad-based governance review. I did read the report on the governance review as regards the president of the university.

Clearly, some work needs to be done, I think, around clarifying roles and responsibilities and decision rights. Hopefully, all of that is going to lead to more effective board governance and more effective operations of the university.

In terms of the university experience and the student experience—the curriculum—I really can't speak to that. I know one of the things that Western aspires to is to increase knowledge creation, if you will, and I think that goes to getting research dollars. I think ultimately that affects the curriculum and also affects the student experience.

Mr. Lou Rinaldi: I guess, just as a statement, you touched on—I would hope and I'm sure that with your HR background, you'll be able to help derive policies for better governance. Thank you very much for being here today.

The Chair (Mr. John Fraser): Ms. Chrominska, that concludes our time for the interview. I want to thank you again very much for being here. We'll consider the concurrences at the end of our meeting. You're welcome to stay, if you wish.

Ms. Sylvia Chrominska: Okay.

The Chair (Mr. John Fraser): Thank you very much again.

MR. JEFFREY REMEDIOS

Review of intended appointment, selected by official opposition party: Jeffrey Remedios, intended appointee as member, Art Gallery of Ontario.

The Chair (Mr. John Fraser): Our second intended appointee today is Jeffrey Remedios, nominated as member of the Art Gallery of Ontario. Mr. Remedios, can you please come forward?

Mr. Jeffrey Remedios: Good morning.

The Chair (Mr. John Fraser): Good morning. Thank you very much for being here this morning. You'll have the opportunity to make a brief opening statement. Any time that you use will be taken away from the government's time for questions. Your questioning will begin with the third party. Again, thank you very much for being here. You may proceed.

Mr. Jeffrey Remedios: Thank you very much. Good morning, everybody. I apologize for being a few minutes late this morning, and I appreciate you reversing the order of who you're seeing this morning.

My name is Jeffrey Remedios. I am being considered to be appointed to the board of trustees for the Art Gallery of Ontario. A little bit of background about me: Six weeks ago, I took a new position as president and CEO of Universal Music Canada, the largest multinational music company, representing about 50% of all music. If you think about a recording artist and who represents them, you have a 1-in-2 chance of being right to think that it was Universal.

Prior to that, I founded and have run for the last 10 years an independent music company out of Toronto called Arts and Crafts. Over the last decade, we turned Arts and Crafts into one of the premier independent music companies in Canada, with me overseeing all aspects of the company's business, establishing Arts and Crafts as a global music brand with offices in Toronto, Mexico City, and Los Angeles.

Arts and Crafts is a premium music-focused, artist-services company offering expertise as an independent record company, an artist management firm, a merchandiser and global music publisher. Founded by myself and my partner, Kevin Drew, with the release of his band Broken Social Scene's album *You Forgot It In People*, Arts and Crafts has grown into one of the most influential voices in independent music, pioneering a boutique, full-service business model for the modern music industry.

Arts and Crafts is home to more than 100 releases from over 50 artists selling millions of albums and winning multiple Juno Awards and Polaris Music Prize short lists. Arts and Crafts is regularly named Independent Label of the Year and Management Company of the Year at the Canadian music industry awards.

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In 2009, Rolling Stone magazine cited me as a key insider, shaping the future of the music business. I'm also the promoter and founder of a music festival called Field Trip, run at Fort York every June, which is one of Toronto's premier boutique community music and arts festivals.

I serve on a number of different boards, including until recently chairing FACTOR, the Foundation Assisting Canadian Talent on Recordings. I also serve on the board of Music Canada; CARAS, the Canadian Academy of

Recording Arts and Sciences; and recently the newly formed Toronto Music Advisory Council.

I'm a graduate of McMaster University, with an honours commerce degree and a minor in music. In 2013, McMaster presented me with their Alumni Gallery Award. Recently, at the inaugural CIMA Awards gala I was named Entrepreneur of the Year.

Now I've been asked to be involved, and I think I can lend a unique perspective to the modern opportunities and challenges faced by one of our country's and city's great arts institutions. As a fan, patron and lover of arts and of our great city and of our great gallery as one of the cultural beacons in this city, I think I can bring a unique perspective to the shortening attention spans of attendees of the gallery, of media, and take some of the experience I have developed in the music industry and serving on boards in the music community and in our city to the AGO.

Thank you for your consideration.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Wayne Gates: Yes. You touched a little bit on the back, but what really motivated you to seek the appointment?

Mr. Jeffrey Remedios: You know, I'm a Torontonians born and bred. I believe I come at this from a unique perspective in that I've been so entrenched in the music community but I think a lot about our cultural institutions and about the disruptive forces of the digital transformation of our world and how that is a double-edged sword. It creates a lot of opportunities; it also poses a lot of threats.

I think the AGO has a tremendous position in our community, and there are incredible opportunities for the institution to be engaging with patrons of all ages and doing really interesting, dynamic work. What I want to do is take some of the learnings and lessons that I've gotten from my work in the music business and apply them to a broader arts field.

Mr. Wayne Gates: You said during your opening comments that you were asked to be involved. Who asked you?

Mr. Jeffrey Remedios: I put my hand up under Matthew Teitelbaum's—

Mr. Wayne Gates: I'm sorry, who?

Mr. Jeffrey Remedios: Under former president Matthew Teitelbaum—when he was there, we had a conversation where he said, "Would you consider it?" I said, "It would be an honour to consider it," so I put my name forward.

Mr. Wayne Gates: How do you think that your background in music will help the art gallery?

Mr. Jeffrey Remedios: I think a lot of it is transferable in terms of the larger arts community. In music, in many respects, it has been the first of the arts industries to be digitally transformed, facing a lot of the challenges of digital disruption. In terms of engaging younger consumers and getting different constituents from large backgrounds to be focused—what is the meaning of a

gallery in 2015 and beyond? Those are challenges that the music industry has been grappling with for a decade, and I'm hopeful to lend some of that to the board.

Mr. Wayne Gates: Okay. My final question is probably going to be the toughest one: Who is your favourite group?

Mr. Jeffrey Remedios: You know, that would be like picking children for me—

Mr. Wayne Gates: I've got to write that one down: "Picking children." All right. Thanks very much. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. Martins.

Mrs. Cristina Martins: First of all, Mr. Remedios, I just wanted to say thank you so much for taking the time to come here today to make your deputation and thank you for putting your name forward. I think that the credentials that you've presented here today, your background in music, will definitely be a welcoming and refreshing mindset, if you will, to the visual arts.

As the member that represents the riding of Davenport, which I'm sure you're familiar with—

Mr. Jeffrey Remedios: Very.

Mrs. Cristina Martins: —which is growing in terms of art and art galleries—we've got MOCCA coming into our riding soon—I appreciate the work that you do. Thank you so much for being here today.

The Chair (Mr. John Fraser): Ms. Martow.

Mrs. Gila Martow: I've quoted you here: "engaging ... interesting, dynamic work." I know exactly what you mean, in terms of the digital world. People aren't interacting with each other enough. They're listening to music on their earphones as opposed to listening in a group and talking while they're listening and things like that.

I was reminded of a pub crawl in Dublin that I was on. Usually, when you think of a pub crawl, you think of music, hearing bands at different pubs. But this was a literary pub crawl, where we went with some actors and they acted out different scenes and things like that.

I'm just wondering if you have any sorts of ideas in your head—I have a feeling you do—in terms of how to make the Art Gallery more engaging and get people out of the Art Gallery and onto the streets, to interact.

Mr. Jeffrey Remedios: Absolutely. I think that's a very good point that you make.

I don't believe the Art Gallery is broken, necessarily, and I feel like they're heading in a pretty positive direction. At least from the outside looking in, that would be my analysis.

I'm encouraged by events that they've begun, like the AGO First Thursdays, which is open, where you see younger patrons of art go on Thursday evenings and you see live music there. They've started AGO Friday Nights. It's free on Wednesday evenings—different, dynamic ways to engage our city with the gallery and the different offerings that it has. I think there's a lot more that can be done in that area, and I hope to play an active role in helping to do that.

Mrs. Gila Martow: Thank you so much for coming in. I hope the traffic didn't make you too nervous.

Mr. Jeffrey Remedios: It was brutal this morning, I have to say. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Remedios. This concludes the time for our interview. We're going to consider our concurrences right after you rise out of the chair, so you're welcome to stay. Thanks again for being here this morning.

We will now consider the concurrence for Sylvia Chrominska, nominated as member, University of Western Ontario board of governors. Mr. Rinaldi?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Sylvia Chrominska, nominated as member, University of Western Ontario board of governors.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

Congratulations, Ms. Chrominska.

We'll now consider the concurrence for Jeffrey Remedios, nominated as member, Art Gallery of Ontario. Mr. Rinaldi?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Jeffrey Remedios, nominated as member, Art Gallery of Ontario.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

Congratulations, Mr. Remedios.

Thank you very much for being here.

We now have a number of deadline extensions to consider. The Clerk is passing those out right now. We're going to have to go through each one. We'll just do this by unanimous consent.

The first extension is Gita Anand, nominated as vice-chair, Ontario Labour Relations Board. That's an extension to November 25, 2015. Are we all agreed? Okay.

The second is Simone Thibault, nominated as member, Provincial Advisory Committee on Francophone Affairs. That extension is to November 21, 2015. Do I have agreement? Thank you very much.

Jessica Smith, nominated as member, Trillium Gift of Life Network: an extension to November 21, 2015. Do I have agreement? Thank you very much.

Julie Di Lorenzo, nominated as member, Toronto Waterfront Revitalization Corp.: an extension to November 21, 2015. Do I have agreement? Thank you very much.

Bahareh Hosseini, nominated as member, council of the College of Massage Therapists of Ontario: an extension to November 26, 2015. Do I have agreement? Thank you very much.

Guy Freedman, nominated as member, Champlain Local Health Integration Network: an extension to November 24, 2015. There's an error on there. That extension is to November 24, 2015, not September as was written there. Do I have agreement? Thank you very much.

Peter Rossos, nominated as member, eHealth Ontario: an extension to November 24, 2015. Do I have agreement? Thank you very much.

Murray Porteous, nominated as chair, Agricorp: an extension to November 24, 2015. Do I have agreement? Thank you very much.

Kenneth Jeffers, nominated as member, Toronto Police Services Board: an extension to November 24, 2015. Do I have agreement? Thank you very much.

Thank you very much. This meeting is adjourned.

The committee adjourned at 0931.

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Journal des débats (Hansard)

Mardi 27 octobre 2015

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 27 October 2015

Mardi 27 octobre 2015

The committee met at 0902 in committee room 1.

INTENDED APPOINTMENTS

The Chair (Mr. John Fraser): Good morning. Welcome back, everybody, to the standing committee on public appointments and government agencies.

We have two intended appointments this morning. We do also have a translation service here for our first intended appointee. So you'll notice you've got a little ear bud if you wish to use it. The nominee has let me know she will be speaking in English and in French. Any questions, anybody? No? That's good. Merci.

Interjection.

The Chair (Mr. John Fraser): You may want to test it out to make sure you're on the right channel.

Interjection: I can hear your dulcet tones.

The Chair (Mr. John Fraser): You can hear—yes, the FM radio voice. I wish. We'll just wait until Wayne gets plugged in there. Everybody good? Okay.

M^{ME} SIMONE THIBAUT

Review of intended appointment, selected by official opposition party: Simone Thibault, intended appointee as member, Provincial Advisory Committee on Francophone Affairs.

Le Président (M. John Fraser): Notre première nominée prévue est Simone Thibault. Madame Thibault, veuillez prendre place. Merci d'être ici ce matin. Vous aurez 10 minutes pour une brève présentation. Nous avons des services de traduction ici ce matin. Vous pouvez présenter dans la langue de votre choix.

Des membres des trois partis vous poseront des questions. Le temps que vous utilisez sera pris du temps du gouvernement pour vous poser des questions. Le gouvernement va poser les premières questions.

Merci encore d'être ici ce matin, et vous pouvez commencer.

M^{me} Simone Thibault: Merci, monsieur le Président.

Interjections.

The Chair (Mr. John Fraser): Are you plugged in? There's a switch, right?

Un moment, s'il vous plaît.

M^{me} Simone Thibault: Ça va.

Ça marche? OK. Merci, monsieur le Président. Merci, membres du comité.

I am so honoured to be asked to apply to be a public appointee for the Provincial Advisory Committee on Francophone Affairs.

En passant, vous pouvez poser vos questions en anglais ou en français. Je vais parler en anglais puis en français.

Je suis Acadienne de souche, de la Baie Sainte-Marie, du Petit-Ruisseau en Nouvelle Écosse, dans le sud-ouest de la province. Ce qui m'a amenée à Ottawa, c'est qu'en 1981, j'ai été acceptée comme page dans la Chambre des communes, alors j'ai eu l'occasion de voir le Parlement en action. J'ai aussi eu l'occasion de poursuivre mes études à l'Université d'Ottawa en sociologie et administration des affaires. Je n'ai pas pu poursuivre ma maîtrise à l'Université d'Ottawa parce que mon programme n'était pas offert en français dans le temps.

Je suis allée faire ma maîtrise en travail social à Carleton et je suis ravie que l'Université d'Ottawa, maintenant, offre le programme de maîtrise en travail social en français. Alors, on voit déjà l'évolution des services en Ontario.

J'ai passé la plupart de ma carrière, les 30 et quelques années, dans le domaine du secteur à but non lucratif. J'ai commencé avec la Maison d'amitié. J'étais jeune étudiante et j'ai commencé à travailler dans une maison d'hébergement pour femmes violentées et leurs enfants, une maison francophone qui accueillait les familles francophones.

C'est sûr que c'était une expérience qui m'a touchée et m'a marquée tout au long de ma carrière, car voir des familles souffrir comme ça n'était pas évident. Mais ça m'a donné la passion de travailler dans le secteur des services sociaux et de santé, et ça m'a aussi donné la passion de poursuivre le mandat, comme francophone, d'être là pour les francophones en Ontario.

Après mon expérience à Maison d'amitié, j'ai géré la Boîte pour quelques années. Après ça, j'ai géré un centre de ressources communautaires pour quelques années, et cette communauté, c'était pour l'est d'Ottawa, qui offrait beaucoup de services aux francophones. Lorsque j'étais DG de cette Boîte, grâce à l'appui du gouvernement, on a pu créer une équipe de santé familiale francophone dans ce secteur, dans l'est d'Ottawa.

Depuis, je gère le Centre de santé communautaire du Centre-ville, qui est un organisme bilingue qui travaille pour sa désignation des services en français qu'on espère réussir bientôt. C'est important, même dans des

organismes bilingues, qu'on offre des services pour la communauté francophone parce qu'il y a une importante communauté francophone à Ottawa. Alors j'y tiens et je le fais toujours.

Au-delà de ma carrière, je participe aussi à plusieurs tables et comités. J'étais présidente de l'Action ontarienne contre la violence faite aux femmes au niveau provincial. J'ai participé sur le CA du Réseau des services de santé en français de l'Est de l'Ontario. Maintenant, je suis membre du conseil d'administration de l'Association canadienne des centres de santé communautaire. I'm their francophone constituent. Alors, je fais partie du groupe de travail qui monte des dossiers pour voir comment on peut assurer l'accès à des services en français partout au Canada pour les francophones qui sont en milieu minoritaire.

So all those experiences—I've worked both in my profession but also in many committees to look at how we can best support francophones, especially in areas of the country that are in minority situations. In Ontario, I've been at a number of tables, and I find my tables, both national, regional and provincial, have been helpful because often there are lessons learned from these different tables.

I'm particularly excited by this committee because I would be working in French. Often I've had committees where I could work in French, where we were all francophones, but oftentimes I've been the token, "Hey, we need a francophone. Can you please be a participant to support us with your leadership to make a difference?" I'm happy to do that, always pleased to do that, but I'm much more excited at this stage in my career and personal life to be at a table where I can function in French and I can push in areas and advise in areas that will affect the people I have been supporting all these years in Ontario. So it's a particular privilege to be here today and to apply for this position. Merci.

Le Président (M. John Fraser): Merci, madame Thibault. Madame Lalonde?

M^{me} Marie-France Lalonde: Madame Thibault, je veux vous remercier sincèrement d'être ici aujourd'hui. C'est toujours agréable, comme vous dites, de pouvoir parler et s'adresser en français, donc pour moi, aujourd'hui, j'ai demandé de vous poser quelques questions parce que je peux les poser en français.

Vous avez quand même un résumé extraordinaire et un bel engagement. Je vous demanderais, par rapport à votre rôle sur ce comité-là, pourquoi vous pensez qu'il est important pour ce comité d'exister en Ontario au niveau de la francophonie.

M^{me} Simone Thibault: Il est important, puis je pense qu'on est dans un bon temps. Je pense que les gens comprennent l'importance de la valeur et des acquis que la communauté francophone peut avoir à la société.

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Je vois comme un « shift » des fois. À un moment donné, je sens qu'on a passé une période un peu victime, et puis on est rendu à une période où on a quelque chose à apporter. C'est une valeur ajoutée. Je sens que c'est

pour ça que je suis particulièrement intéressée à participer maintenant, parce qu'on est intéressé à des résultats. On est intéressé à voir, quand le gouvernement commence une initiative ou une stratégie, est-ce que la lentille francophone est présente?

On sait que, pour la communauté francophone, on est souvent marginalisé. Surtout dans certaines communautés, on est parti pris. Mais dans d'autres communautés, on est riche. On a plein de leaders et chefs de file qui mènent la barque et qui embarquent pleinement dans la communauté. Alors, je pense qu'il faut regarder les acquis qu'on a apportés. Je pense que si on a la lentille francophone, on s'assure qu'il y a un effectif qui se passe à la province. Ça va être un bonus au niveau économique, au niveau social et au niveau culturel pour la province. Puis, on le voit. Ce n'est pas juste en Ontario; je le vois partout au Canada. Il y a comme un vent, et je pense que je veux faire partie du vent.

M^{me} Marie-France Lalonde: Merci beaucoup. Lors des célébrations du 400^e en fin de semaine, je veux dire que j'ai senti ce vent qui, j'espère bien, va faire du cheminement ici en Ontario et à travers le Canada. Donc, je vous remercie de cet engagement là pour la francophonie. On va voter tantôt, mais bienvenue.

M^{me} Simone Thibault: Merci.

The Chair (Mr. Randy Pettapiece): Merci, madame Lalonde. Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you for being here this morning. How do you think the current government policies and strategies affect francophones in Ontario? Do you have an opinion on that?

M^{me} Simone Thibault: Every strategy impacts francophones in Ontario. As I was saying earlier, I think it's making sure that the strategies take into account that we have a large population of francophones who can invest in our community, and including the diversity of francophones, with a lot of immigrants coming to our province whose first, second or third language is French. How do we integrate them into our communities? Every policy has an impact.

I would encourage the government to pay attention to that: Whether it's health, education, culture or tourism, how do we make sure we're paying attention from the beginning, and it not being, "Oh. We forgot. We need to pay attention." How do we integrate that lens as we build our strategies and pay attention? Especially as they're in a minority situation, there are particular strategies that will work better for francophones than for other communities.

Mr. Randy Pettapiece: So do you think there are some changes you would like to see currently in government policy concerning francophones in Ontario?

M^{me} Simone Thibault: I think I've seen good attempts to make a difference for francophones, and I would encourage them to continue that. I was invited to be on the expert panel on homelessness, because they realized we have to have a francophone lens. I was also looking at health care; there have been investments in making sure that certain communities have a community

health centre that is francophone, governed by the community for the community.

There have been really good initiatives and strategies. I think it's always to be paying attention, and I think we always have to be reminding the government.

Mr. Randy Pettapiece: Are there any things currently that you'd like to see addressed by the government concerning francophones?

M^{me} Simone Thibault: I think it's continuing to look at how we can reinforce, particularly around cultural communications. How can we make that even more vibrant? Because it is an economic issue, as well. How can we invest more in that area? How do we continue to invest more in health in terms of making sure that minority populations are getting health care in their language? How do we encourage l'effectif, which is—I wouldn't say it's everywhere, so that needs some work, especially with our health institutions.

I've seen a real proliferation of really good work in terms of la petite enfance—the early years programs—more and more, and schools. There are more schools being built for francophones. I think there's a recognition that we need to do more. We need to start at the beginning.

There's currently youth mental health rolling out. I'm looking at that, as to how we have applied the francophone lens on that file. I would raise that as something to watch and pay attention to, because for youth, mental health is a big issue. We need to pay attention, and not later in the strategy as it unfolds.

Mr. Randy Pettapiece: Okay, thank you.

The Chair (Mr. John Fraser): Mr. Bailey?

Mr. Robert Bailey: Yes. Excuse me. Thank you for coming, Ms. Thibault, today.

What are some of the other issues that you see, going forward, that are facing the francophone community, not just in Ottawa but across Ontario?

M^{me} Simone Thibault: I see we have an opportunity by raising the number of immigrants who speak French coming into our province—a real opportunity, an opportunity that can't be missed. There are a lot of communities in Ontario that could les accueillir, that could welcome them. How do we do that? How do we prepare to do that? How do we make sure that they are fully welcome and integrated in our communities? That's one area that I'm watching, because I think it's an opportunity.

There's a richness. People are attracted—often people don't even know there are francophones in Ontario. And sometimes immigrants come to Ottawa and think we're a fully bilingual city where you can function totally in French, and then they get surprised that it's not necessarily the case. That's one area that I think we can be—and then different parts of Ontario are looking for young families. That's one area that I would see.

Mr. Robert Bailey: Okay. Thank you.

The Chair (Mr. John Fraser): Mr. Gates?

Mr. Wayne Gates: Hey, good morning. How are you?

M^{me} Simone Thibault: Good.

Mr. Wayne Gates: I'm not going to show off my French.

Interjections.

M^{me} Marie-France Lalonde: Pourquoi pas?

Mr. Wayne Gates: I'm just saying. But I am going to ask you probably the most important question before I get going: Are you an Ottawa Senators fan or a Montreal Canadiens fan?

M^{me} Simone Thibault: I don't watch hockey. Do I get—

Mr. Wayne Gates: Wow. You could be a Liberal; you didn't make a decision there.

Interjections.

Mr. Wayne Gates: Hey, you guys were laughing at my French.

Okay, a couple of questions. I notice that you've done a lot of work in the not-for-profit sector. Maybe you'd like to explain that, because I think that's important, to be well balanced, to understand the issues that are out there, not just for francophones but for all Ontarians.

M^{me} Simone Thibault: Thanks for the question. I came to Ottawa when I was 18 to make money; I started in business. Then I went and worked in a shelter for abused women, and all of a sudden that wasn't as important. So from an early age I was involved in working with families who are going through lots of hardship, and I realized that was my point and calling. As much as I love administration, which is probably why I administer these organizations, I think there's an opportunity to make a difference for those who are most marginalized in our communities, as francophones, and francophones in all their diversities.

In the centre I work in, we see a lot of lesbians, gays and transgender who are having a hard time. We work with a lot of immigrants and refugees and asylum seekers, lots of women who are experiencing trauma. It's really important in anything we do, in the strategies this government takes, that we pay attention to those who are not doing well in life, and often because they've been traumatized at an early age. So the early interventions are key in anything we do. And you're right: Whether you are francophone or of another culture, it's a significant problem that we need to address. Thanks for the question.

Mr. Wayne Gates: You talked a little bit about something that we talk about, quite frankly, here when we're asking questions: the growing issue around mental health and the lack of resources that are going to mental health. One that we don't talk a lot about, but it is a big issue with suicides with teens, is youth mental health. Maybe you can just elaborate on what you've seen over the last number of years.

M^{me} Simone Thibault: For sure.

I know the new investment was to start with youth, which is a good thing. We need to do more. I happen to be—the one centre in Ottawa has an experience where we support LGBT youth. What we're seeing is a lot more transgendered youth. The suicide ideation is very high. We have waiting lists of over 50. We see youth who are

struggling, and it's the transition of going to adulthood and making sure that they don't fall through the cracks that's key. So we see a lot of children and youth who are struggling. We see a lot of immigrant children who are falling through the cracks, as well, because they're not doing well for a myriad of different reasons.

For sure we need to invest in early prevention, and when they get to that transition stage—we have people in my life that it's very serious. Sometimes it can start very small and then it can accelerate very quickly, depending on their peer group and their social supports and their family life.

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Mr. Wayne Gates: You talked a little bit about the community health centres, family health centres. We keep hearing how there's not enough doctors in the province of Ontario. Are you seeing that in the community health centres when you're there, that the—

M^{me} Simone Thibault: No. We're not seeing an issue with physicians. We're seeing an issue of making sure we have enough nurse practitioners and nurses and social workers. I think if we want robust health, we need to invest in the right care at the right time by the right provider.

There's a role for physicians; I have physicians in my community health centre. But they'll be the first to say, "I can't do my job if I don't have a really good team with me, working with me." They count on the social workers. They count on the nurses. They count on the practical assistant worker who is going to get the ID for that person who lost their ID and who is struggling on the street.

I would say, let's make sure it's the right care, right time, right profession, and let's pay attention to all parts of those professions. There are professions that are a higher cost—there's a role for them—but there are other professions that need to work with them to make sure that they are part of the solution. I would support that we really look at that larger team. There are probably things we haven't done yet in terms of more personal support workers. There's a lot of people on a team to support the health and well-being of people in our communities.

Mr. Wayne Gates: The other one you talked about is homelessness.

M^{me} Simone Thibault: Yes.

Mr. Wayne Gates: I believe that's a growing issue in the province of Ontario, particularly around affordable housing. That's why we're seeing a lot of homelessness. Are you seeing that in the francophone community as well?

M^{me} Simone Thibault: Yes. I'm walking on the streets, and many francophones are homeless. I think the issue is often the data. We're not counting the number of francophones really well, compared to the rest of the population. I think there's a data issue. But for sure, the issue of homelessness is not only in Ottawa. It's everywhere in the province.

It's experienced differently, from my experience on the Expert Advisory Panel on Homelessness. It's

experienced very differently, depending on where you're from—rural, north, south; large urban areas.

People say that we need to look at community solutions to address homelessness and how can we do that. I'm on the Canadian Association of Community Health Centres. Our number one priority is to get affordable housing. People are not healthy or well if we don't have affordable housing. We're hopeful that that will get better over time. But that's significant, and that was coming from all parts of the province on this panel: We need affordable housing.

Mr. Wayne Gates: I can tell you that in our office, one of our biggest issues is affordable housing and the wait times. What's equally disturbing is the number of seniors who are now caught in that crunch.

A couple of last questions: I'm from Niagara Falls, but Welland, which is not that far from me, has a really big, very vibrant francophone community.

The last thing: I see the CARE Canada—you walked in the Walk in Her Shoes fundraiser and participated, which is a very good cause that is raising a lot of money and awareness on that issue.

So I say thanks very much. My pleasure, talking to you.

M^{me} Simone Thibault: Okay, merci. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Madame Thibault, merci pour votre présentation ce matin. Nous allons examiner les « concurrences » à la fin de la réunion. Merci encore. Vous pouvez reprendre votre place.

You're welcome to stay, if you wish. Thank you very much.

M^{me} Simone Thibault: Okay, merci. Thank you very much.

MS. JESSICA SMITH

Review of intended appointment, selected by official opposition party: Jessica Smith, intended appointee as member, Trillium Gift of Life Network.

The Chair (Mr. John Fraser): Our next intended appointee is Jessica Smith, nominated as member, Trillium Gift of Life Network.

Ms. Smith, can you come forward? Thank you very much for being here this morning. You will have an opportunity to make a brief presentation, and members from all three parties will be able to ask you questions after that. Any time that you use for your presentation will be taken from the government's time for questions, and the questioning will begin with the official opposition.

Thank you very much again for being here. You may begin.

Ms. Jessica Smith: Good morning, Mr. Chair, and members of the committee. I feel privileged to have been selected as a potential appointee to the Trillium Gift of Life Network, and I'm truly honoured to be before you today, because I'd like an opportunity to offer you further

insight on my background, to highlight how my experience to date will help me make an effective contribution to the board of directors.

I hold a degree in international business, with a minor in Spanish, and for my opening statement I'd like to highlight three influencing factors from my personal and professional life that you won't find on my CV. I will take an opportunity to highlight some of my qualifications at the end of my opening statement as per my position at United Way/Centraide Ottawa as director of strategy management and organizational development.

I'd like to take you back to when I was 16 years old; it was my first office job. I learned valuable interpersonal skills in this job as an office assistant—this is going to sound very glamorous—who was tasked with converting patient files from MS-DOS to Microsoft Word. I don't anticipate anybody knowing what that entails but, essentially, when you do that conversion, characters and squares and lines appear in the new document that need to be erased. That was my job.

More importantly, I got to observe how the public sought care from their doctor. I want to say that while I work in a community development organization and I have worked in other community development organizations in other parts of the world, health care has always been part of my life. That first job that I had was for a now-retired general practitioner: my father.

I hoped that I would have a future opportunity to re-engage in the health care field. That is one of the reasons why I'm before you today.

Foundational to the access citizens have to health care and other social services here in Canada is that connectivity of the system with other organizations aimed at positively impacting people's lives.

I lived and worked in Santa Cruz, Bolivia, for six months, and I volunteered at a local orphanage for second-generation street children. I discovered that the director of the orphanage had never successfully secured funding from the state government. For those of you who have lived and worked in the developing world, this is a common occurrence, and you hope that the government has a role to play in alleviating some of the systemic issues around poverty.

While my experience abroad taught me many things, I certainly do value the opportunity to work here in Canada where there are transparent systems that make good use of government and private funding. I feel as though the Trillium Gift of Life Network is working very well at an integrated system, managing the growing wait-list of donors who need life-saving transplant surgeries. I'm also pleased to see that the performance improvement plans are in line with Ontario's Excellent Care for All strategy.

My final motivation that I'd like to share with you speaks directly to my progressive and fulfilling career in strategy at United Way. I was selected for the role of director of strategy management and organizational development in 2008 given my demonstrated experience in focusing on our future state. My job is to see where we

need to be in six months, where we need to be in a year and where we need to be in five years, and I act as an adviser to the president/CEO.

In recent years, our local United Way has been recognized by the president/CEO of United Way Worldwide as one of the most progressive United Way organizations in North America. This success is attributable to the vision of my president/CEO in Ottawa, who works towards a collaborative and distributed leadership model for the network as a whole. My job is to ensure that we can execute on that vision.

I build relationships with my colleagues across the United Way system to co-develop the future of United Ways and community. I work with United Ways all over North America, et je travaille aussi avec les Centraide au Québec et les Centraide qui sont proches d'Ottawa.

On travaille maintenant dans une collaboration de quatre Centraide. D'eux autres, il y en a deux qui ont des populations anglophones; à Ottawa, on a une population bilingue anglophone-francophone, mais au Centraide à Prescott-Russell, ils ont une population en français. Leur comité de direction : c'était la première fois l'année passée où ils ont commencé à travailler en anglais aussi. Maintenant, quand on aimerait travailler tous ensemble, on a besoin de se familiariser avec comment leur Centraide offre aux donateurs des communautés francophones leur identité et comment c'est différent pour la population anglophone.

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I also work on a file that I'm very, very proud of, and that is to formalize a diversity and inclusion strategy for United Way Ottawa. You would think that United Way Ottawa is inherently representative of the community. You can look at the size of our board, about 31 members, and we do our best to represent both donors and community stakeholders, but through our diversity and inclusion strategy we're not aiming at being representative. We need an understanding of how populations view United Way's role in the community. Through this formalized strategy, we want to engage a significant donor population from the Southeast Asian community, a similar population that is targeted by Trillium Gift of Life.

Finally, in June of this year, I was asked by the president and CEO of United Way Canada to take on a temporary assignment for 60 working days, advising our senior decision-makers on an actionable agenda for 170 United Ways in Canada. We most recently signed on to United Way Worldwide formally, and now we're learning how to work within the global network. I wrote a proceedings report and communications piece of our prioritized actions from a two-day meeting in Washington, DC, and built out a short-term plan for implementation to support medium- and longer-term objectives.

I am very proud to have been chosen to bring strategic counsel to the United Way movement's direction in that capacity, and I look forward to working with the board members and staff at the Trillium Gift of Life Network to

increase organ and tissue donation across the province of Ontario.

I am proud to say that I am trilingual and I have a demonstrated ability to interact effectively with, and present to, multiple levels of stakeholders, external clients, executives and boards in my day-to-day job. Thank you, Mr. Chair, and I'd now like to take questions from the committee members.

The Chair (Mr. John Fraser): Thank you very much, Ms. Smith. Mr. Pettapiece.

Mr. Randy Pettapiece: Thank you, Chair. Good morning to you.

Ms. Jessica Smith: Good morning.

Mr. Randy Pettapiece: You have extensive experience with the United Way, and the United Way is certainly present in all communities. The one in my community works hard. It always amazes me, with the number of organizations that are after dollars, how they seem to achieve what they're after, and that certainly is significant because the people in all our ridings are very generous, I feel, in giving to charities and helping to try to make life better for others who are less fortunate.

One question I would like to ask you is, how would you go about informing people about the organ and tissue donation program a little bit better than what's been done in the past?

Ms. Jessica Smith: Certainly. I see a few opportunities. When I think about the back-end systems and everything that the network has to look at to just evolve through their technology, that's centred a lot around data collection, analyzing the data. Where I see some potential would be in the area of creating the donor segments and marketing effectively to those segments. When I think about some of the education programs that are in schools today to educate youth about how you need to sign up on BeADonor.ca to be able to offer that gift to somebody else, they're going to do so by pulling out their smartphone. I would hope that we begin to understand, even more so, that this isn't an online world anymore. This is a digital world, so how do we market to those youth in that age group that Trillium Gift of Life Network has identified as the 16-to-24-year-olds? They're going to want to be able to do it instantaneously if they would like to offer that gift.

I hope this isn't shameful, but I most recently exchanged my white and red health card a couple of months ago for the green health card, and I was pleased that I walked up to the ServiceOntario kiosk and they said to me, "Ms. Smith, I see that you have registered to be a donor. Thank you very much." Just that element of customer service; I think any point of contact that we can offer is a great opportunity.

So a digital strategy and segment marketing—those are kind of the areas that I think would—

Mr. Randy Pettapiece: The reason I asked that question—for those of us who have been touched by the organ donation process—I had an uncle who received a heart a number of years ago. They felt it gave him an

extra 10 years of life. Certainly, their family was forever thankful for the program.

I wonder sometimes whether signing your licence, or whatever is used, is sort of an afterthought, unless somebody does ask you to do it. I know that yours truly has forgotten to sign or put the X on, or whatever they do. I currently have done that. So I guess I'd like to ask you this question about what your thoughts on the current donor registration process are, and whether you would like to see changes to that. I know you mentioned the smart phones and everything.

Ms. Jessica Smith: Yes. There's actually a lot to it, especially coming from a not-for-profit organization that is seeking an individual engagement with donors. More often than not, when we ask why someone hasn't given to United Way, they'll say it's because they hadn't been asked.

In the conversations I've had over the last few months with friends of mine—and I understand this issue is still at play a little bit—folks don't understand that the donor card that they once signed now requires you to do the online signup.

The community groups that are in place, where we're able to run these drives in workplaces, I think, could be grown. I'm thinking about the largest employer, for instance, in Ottawa, the government of Canada. They of course run the government of Canada workplace charitable campaign, benefiting Centraide Outaouais, United Way Ottawa and health partner organizations. But they also do a poppy drive and a blood drive.

You see that the blood drive has really taken hold in workplaces. It gets people's attention. Could we not begin to have those educational opportunities in workplaces as well, even more so than we do today? Because it isn't necessarily the financial donation that you're making, perhaps. It's just an awareness as to something that you may be able to give.

Content is definitely something that is working very well in this new fundraising landscape. The more you're able to tell the story of the life of a person who has been changed or saved, that pulls on your heartstrings. I think Trillium Gift of Life has a perfect product when it comes to generating that content. The more content they can produce, perhaps even on a daily basis—Monday, Tuesday, Wednesday, Thursday, Friday, a new story of a life changed, as well as talking about how simple it is. It takes two minutes to sign up.

Does that offer you a little bit more?

Mr. Randy Pettapiece: You're doing well.

Ms. Jessica Smith: Okay. I've got ideas.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Mr. Bailey?

Mr. Robert Bailey: Yes, just a real quick question. Thank you, Ms. Smith, for being here today and for all your work with the United Way. I'm a past fundraising chair in my local United Way.

Ms. Jessica Smith: Wonderful.

Mr. Robert Bailey: I was just sitting here, thinking how many years ago it was. Anyway, I wouldn't want to tell you.

Anyway, there have been a number of high-profile living organ transplants in the last couple of years. Of course, they were high-profile. They were able to get a lot of attention, and then the transplants came. Is there some way to make sure we keep a balance in the system, so that people who don't get that so-called media attention or are unable to be at the front of the line—is there some way we can balance that? Are you concerned about that, I guess, is another way of—

Ms. Jessica Smith: To be honest, an opinion on that is I understand that people don't feel great about those who perhaps, in their view, jump the line. But that kind of profile that we're able to get, whether it's the Hélène Campbell or Eugene Melnyk—it does bring attention to the issue. So I'm just wondering if that by-product might help us, and if we are able to manage the PR around it—I mean, one life isn't more valuable than the other. But I do understand that you have to have a strong communications team to be able to manage those issues.

Mr. Robert Bailey: Thank you.

0940

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey.

Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Jessica Smith: I'm very good, Mr. Gates. How are you?

Mr. Wayne Gates: Good. I have a lot of ties to the United Way.

Ms. Jessica Smith: Wonderful.

Mr. Wayne Gates: I was on the board for six years and had the privilege of being a campaign chair for two years. I understand how it has had to change over the years, particularly on donors, as the unions kind of dropped a little bit, because that was really the unions' charity of choice, particularly on payroll deduction.

I'm going to get into the reason why you're here, but I want to ask you a question. Federally, do they do a campaign for the MPs in Ottawa? Would you know that?

Ms. Jessica Smith: We have a lot of MPs who support United Way, usually through their own efforts. We do kind of direct engagement with them. Their ability to be champions for some of the issues that they care about characterizes their engagement with United Way, not running a workplace campaign necessarily. They can choose to do whatever they like.

I know of quite a few champions, around youth drug addiction especially, who have brought a heightened awareness to the need to integrate our local systems to tackle the systemic issue and set some goals, set some targets for our community to manage, not just through funders but school boards, police services etc. That's the role that they customarily play with us.

Mr. Wayne Gates: When I got elected here, I was surprised there wasn't one here for MPPs, so I'm kind of

putting that out. Maybe you can let United Way know that I think there should be a payroll deduction here.

When I take a look at some of the stats here, it says that Ontarians are in favour of organ donation by 85%, yet only 25% signed up. How do you get to the other 60%?

Ms. Jessica Smith: Yes. Also very interesting is that we actually also know that there are 11.9 million potential donors, so the fact that we're trying to close the gap, and we're at about 27% right now—not often do you know where your end target can be. You can't get to 100%, but what can you get to?

What I'm wondering is, perhaps we might be able to explore some multi-year goal-setting, whether that's more of an internal exercise than anything else. If we were to be bold enough to go out and say, "We're at \$3.3 million"—I don't know what the numbers are going to be at the end of this quarter. We set annual targets; that's great. But when we hit the \$3-million mark, that was something to celebrate. Why not go for \$4 million? That would be my—

Mr. Wayne Gates: Because it is an interesting and big gap. I don't know whether more awareness needs to be done in the schools or whatever, but that is a big gap on the "Yes, it's a great idea, but don't ask me" type of thing.

You did a little bit on the Eugene Melnyk story. You had an interesting comment on how that raises the profile. But I guess my concern is, what message does it send, that just because I have a lot of money, I can go to the front of the line? I'm a firm believer that I look at the other part, that everybody's life is important. Eugene is no more important than anybody in this room. We all have family; we all have grandkids; we all have that.

It's interesting that you said it could be a positive, but I'm not so sure, if you want to get to the other 60%, that they would look at that in a favourable light, saying, "Well, if I have money, I'll just jump the line." I think it's a mixed bag there. There may be some awareness, but I'm not so sure that's one that gets you the type of publicity that we should be happy with.

The last point I'm going to make—I can tell you that I give a lot of credit to my wife for this one. She has talked to my daughter since she was little about signing a card. My wife has already done it, obviously. I can tell you my 18-year-old, Jacqueline, has signed a card to be an organ donor. I was extremely proud of her. I thought I'd tell you that story.

There is a way to get young people to understand the importance of it. It may start with schools; it may start in university or post-secondary education. I think it's important to get young people to understand how important their organs are to somebody who needs them right away.

That might be something, when you get on this, to talk about: How do we get to young people? Then you won't have to worry about the gap, because the gap will be starting down here, when you get to them a lot younger.

Ms. Jessica Smith: I agree with you. I talked a little bit about that segment marketing. When you see that 16-

to-24-year-old bracket, you see also the 34-to-44-year-old bracket potential and those families who make \$60,000 a year in combined income as those areas to focus on.

In United Way world, we also go after high potential, high yield, so I'm happy to see they have been identified. Try and see which strategies work. Sometimes some strategies that work in some populations have to be amended to work with others.

But I agree with you: The youth are the donors of today and tomorrow.

Mr. Wayne Gates: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Ms. Martins?

Mrs. Cristina Martins: *Remarks in Spanish.*

Ms. Jessica Smith: *Remarks in Spanish.*

Mrs. Cristina Martins: Thank you very much for being here and for taking the time to join us here today. I just wanted to commend you on all the experience that you've had with United Way and all the different organizations that you've had an opportunity to work with, and all the governance experience that, hopefully, you will be bringing to this particular board.

I guess my question is, this is such a specific, niche board, and the mandate behind it all—what sort of actions are you going to be taking to familiarize yourself with this organization?

Ms. Jessica Smith: Some folks may not get as excited as I to read a three-year strategic plan, but I've already done so, and it's great to see that we're at a juncture where we would be planning for the next three years, potentially. That's an area that I'm very comfortable in: the ability to analyze the data we have collected, see which strategies are working, and set a path forward that can be adjusted along the way but, essentially, a longer-term outlook on what we're trying to achieve, and then building out those one-year business plans from there—any strategic advice and counsel that I can offer in that regard.

I think it will be a refreshing and healthy experience for me to be at the board table as opposed to the one implementing it. So we're going to see how that transpires.

Mrs. Cristina Martins: Thank you so much. Once again, thank you for being here, and congratulations on having such an extensive resumé.

Ms. Jessica Smith: Thank you.

The Chair (Mr. John Fraser): Mr. Colle; you have about a minute.

Mr. Mike Colle: You're an impressive applicant, I might say. You've offered your services to this very important cause. I want to thank you for that.

The one question I have is, one of the challenges in getting organ donations is that there is such a low uptake from newcomers and new immigrants to Ontario. Some of it has to do with cultural blocks and in terms of traditions. These traditions don't exist where they come

from. Organ donations are taboo subjects in many of these countries.

What can we do, do you think, to try and break into this huge segment of the Ontario population that doesn't participate?

Ms. Jessica Smith: I'm happy that you characterize it as traditions, because what Trillium Gift of Life Network has begun to do is break down, for instance, the religious views on organ donation. What I was very interested to see is that, with the exception of two religious faiths, organ donation is either encouraged or supported and, for the most part, up to the individual.

What I was also pleased to see is some of the first steps they've made to translate all their brochures into various languages. It looked like there were about 15 different languages in which the brochure was available.

Going back to when we spoke about those one-on-one conversations—the trust, perhaps, that these folks put in their local physician, that sort of thing—perhaps those are the kinds of avenues that we can explore. Their children are in the education system. Perhaps they can bring back some of that insight.

But it will be most valuable, I think, to engage with them, as best we can, one on one. That's what we're learning from especially reaching out to some of the minority populations in Ottawa that we traditionally have not had a relationship with through United Way. They value engagement through one-on-one consultation. If we have to meet them in the way that they want to be engaged, then perhaps we need to explore some strategies that will allow us to do that.

The Chair (Mr. John Fraser): Thank you very much, Ms. Smith.

Mr. Mike Colle: Thank you.

The Chair (Mr. John Fraser): That concludes the time for the interview today. Thanks again very much for presenting here this morning. We will consider the concurrences at the end of this meeting, just coming up, so you're welcome to stay. Thank you very much again.

Ms. Jessica Smith: Thank you.

The Chair (Mr. John Fraser): Okay. We'll now consider the concurrences one at a time.

Simone Thibault, nominated as member, Provincial Advisory Committee on Francophone Affairs. Mr. Rinaldi?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Simone Thibault, nominated as member, Provincial Advisory Committee on Francophone Affairs.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried. Félicitations.

We'll now consider the appointment for Jessica Smith, nominated as member, Trillium Gift of Life Network. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Jessica Smith, nominated as member, Trillium Gift of Life Network.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried. Congratulations, Ms. Smith.

We now have two deadline extensions to consider. The first deadline extension is for Eden Gajraj, nominated as member, Council of the College of Homeopaths. The extension is to December 1, 2015.

All those in favour? Okay, we're good. It's unanimous. Thank you very much.

Mr. Wayne Gates: What was that last word you said? It's what?

The Chair (Mr. John Fraser): Unanimous. I thought you put up your hand. This is all by unanimous consent.

Mr. Wayne Gates: It's a nice word. I just wanted to—

The Chair (Mr. John Fraser): Unanimous, yes; I didn't get tongue-tied on it. I'm having trouble with my English this morning, right?

Mr. Wayne Gates: I'm writing that day down.

The Chair (Mr. John Fraser): We've had a very multilingual morning. As a result, I have another: Bruce Krushelnicki, nominated as executive chair, Environment and Land Tribunals Ontario; and member, Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, and Ontario Municipal Board. That extension is to December 1, 2015.

Do I have agreement? Again, it's unanimous. Thank you very much.

We had a multilingual morning this morning. Thank you very much, Ms. Martins, as well, and Ms. Smith.

Meeting is adjourned.

The committee adjourned at 0954.

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Official Report of Debates (Hansard)

Tuesday 3 November 2015

Journal des débats (Hansard)

Mardi 3 novembre 2015

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 3 November 2015

Mardi 3 novembre 2015

The committee met at 0901 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): Good morning, everyone. Welcome back. Another Tuesday morning. We have two intended appointees. We'll begin with subcommittee reports. We have two, I believe. Mr. Pettapiece?

Mr. Randy Pettapiece: Yes, thank you, Chair. I move the adoption of the subcommittee report on intended appointments dated Thursday, October 29, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Any discussion?

All those in favour? Opposed? Carried.

We just have one subcommittee report? Okay, thank you very much.

INTENDED APPOINTMENTS

MS. JULIE DI LORENZO

Review of intended appointment, selected by official opposition and third party: Julie Di Lorenzo, intended appointee as member, Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): Our first intended appointment is Julie Di Lorenzo, nominated as a member of the Toronto Waterfront Revitalization Corp. Ms. Di Lorenzo, can you please come forward?

Ms. Julie Di Lorenzo: Di Lorenzo.

The Chair (Mr. John Fraser): Di Lorenzo, yes. I slipped an R in there.

Ms. Julie Di Lorenzo: It's okay.

The Chair (Mr. John Fraser): I'll explain later. I'm from Ottawa.

You will have time to make a brief presentation. Any time that you use will be taken from the government's time for questions. You'll be asked questions by members of all three parties. The questioning will begin with the third party. Thank you very much, Ms. Di Lorenzo. You may proceed.

Ms. Julie Di Lorenzo: Good morning. My name is Julie Di Lorenzo and I am honoured to be here to be considered as a board member for Waterfront Toronto.

I grew up in construction, from the ground up, sitting in a Mack truck drinking double-doubles and eating toasted western sandwiches, but mostly knowing the men

and women that worked with us by name and understanding that each person contributed. I grew up knowing about the necessary co-operation of unions, safety boards and regulation, while advocating for economic prosperity and renewal through three to four recessions in my own career.

While studying medieval history and religious philosophy, I started my own business in 1982 in construction when I was 17 years old. You can imagine that there are not many women in the construction industry now, and certainly not then. Since those days, I have established myself as a premier real estate developer and builder. I have worked hard at being a community and city builder also.

I have had many experiences over the last 30 years of my career of self-employment, meeting stakeholders like developers, planners and political leaders, locally and abroad, and have been fortunate to participate in important initiatives, such as world-class development trade shows and lectures on urban marketing and economic development.

I am passionate about small and medium-sized business, women in business, applied design, industrial design and enterprise. I am probably the number-one cheerleader for Canadian products. My friends all know me as the one who finds the "made in Canada" and promotes, with pride, such businesses. We do and can make quality jobs here.

I mentor and volunteer extensively while running my successful firm. I'm a proud mother of two young children who are also immersed in the community through our family involvement in the Good Shepherd Refuge and Hincks-Dellcrest, and our home is filled with discussions on issues of the day.

I have had excellent relationships with domestic financial institutions and investors and have had international partnerships with European and Asian companies. My industry honoured me as president of the home builders' association in 2005, when I supported the province's growth management initiative and guided the industry through the greenbelt legislation. It is one of my most proud accomplishments in leadership.

In 2005, statistically, multi-unit residential housing was only 25% of the market and the industry was very reluctant to embrace growth management. In contrast, multi-unit housing represents 75% of new housing presently. I understood then and now that efficient land

use with access to public transit and existing infrastructure is important not only for quality of life and affordability but also for the environment.

I was the first woman to be awarded the Business Excellence Award from the Italian chamber of commerce, although there were many brilliant, deserving women before me.

I am proud to be considered for the board of the waterfront development corporation, and I believe I am qualified to be an asset and a resource as a board member because of my experience and my ability to advocate for economic development and renewal. I've also been able to advise and work with many different political parties and levels of government, because ultimately I am a citizen who believes in collaboration towards the common good.

Toronto is a jewel. It is obvious to us all that it is safe, clean and, for the most part, provides for opportunity for all of its constituents, although we can pay more attention to priority neighbourhoods. Through our own unique jobs and initiatives, we all work hard to continue that legacy and to be world leaders in quality-of-life issues.

I see Waterfront Toronto as an important part of that narrative. It strives to be the model community where one can work and live and there is planned space for recreation and for community to develop and thrive—where built form is not random but is thought out and created to add enjoyment and stimulate good will. Imagine if you could create a community with the distilled intelligence of the experiences of previous cities and the insights of visionary leaders of tomorrow. We have that template from which to work at Waterfront Toronto.

Thank you for your consideration this morning.

The Chair (Mr. John Fraser): Thank you very much. Mr. Gates, you may—

Mr. Wayne Gates: Good morning. How are you?

Ms. Julie Di Lorenzo: Good, thank you, and you?

Mr. Wayne Gates: Good. Julie, just a few questions. As a former developer, how will you balance the public interests on the waterfront with the interests of your profession, which you used to represent through BILD?

Ms. Julie Di Lorenzo: Hopefully I'm not a former developer; I'm still an active developer. I appreciate the question. When I was president of the home builders, the interests of the industry were first. I'm well aware of governance and I understand that the responsibility on a board would be to the corporation, not to myself. I understand conflicts, and if there ever were to be a conflict, I understand how to withdraw myself from that decision-making process.

Mr. Wayne Gates: To what extent should Waterfront Toronto seek income diversity among new residential developments, and after that, why?

Ms. Julie Di Lorenzo: I think that's necessary. We're very lucky in the city of Toronto. A lot of people don't understand that it came out of the 1960s. We have affordable housing and old rental stock that came out of a

CMHC initiative in the 1960s. So we have a diverse population by default.

You need to be able to be proactive in creating that. One of the reasons I build in an urban context is because people understand each other when they see each other on a daily basis and we can see the issues of the day in front of us unfolding. I'm a huge advocate for multi-socioeconomic groups in the same communities.

Mr. Wayne Gates: Having said that, affordable housing is a crisis in the province of Ontario and probably becoming even more of a crisis here in Toronto as you see people leave this area to move, quite frankly, down into Niagara, whether it be Grimsby, Beamsville or Niagara Falls. What do you think some of the solutions would be for affordable housing? How will we get there?

Ms. Julie Di Lorenzo: There's a big irony that if you go to Hong Kong, they have the largest stock of affordable housing in the world, and yet it's the ultimate capitalist city. It has to be done, because the workers who work in the offices are the people who need the housing. I'm a controversial developer, because although the commercial world is very important to me, if you don't have housing for people, that's almost a given and a need.

How do we accomplish that? I think that the condominium industry, believe it or not, with the size of their units on public transit, has alleviated it a tiny bit. The rental housing stock has improved substantially through that. It's still not affordable enough. I think you need a proactive effort.

Mr. Wayne Gates: Why does the witness suspect that, despite so much development—and the associated development charges—that has taken place near the waterfront, there is still no rapid transit line in that area?

Ms. Julie Di Lorenzo: That's disappointing. What I do believe, at least, is that the physical infrastructure is there for rapid transit. Some communities made the mistake of not even doing the arterial systems. It should happen. In fact, when I was president of the home builders, the development charges alone were enough to finance many of these projects. Can you imagine in how many years how much more is in the coffers?

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To me, it's a priority; it's a given. If you are in a suburban development and you have to employ someone, they need enough money to afford a car, which makes your business less efficient. So public transit is an absolute need, and I would be advocating for that. Again, I'm a capitalist, but it makes sense. Capitalism is supposed to make sense. You need to bring people to the jobs.

Mr. Wayne Gates: It's interesting. I was a city councillor in Niagara Falls for a number of years. I don't know this. I'm going to ask you because you probably do, because you are a builder. Development charges in Toronto, are there any discounted development charges? Do they pay a regular rate or is there a level that they pay?

Ms. Julie Di Lorenzo: We've been really lucky that the industry has been very strong. Usually in cities they have a doughnut. They have less development charges in

the centre because you have infrastructure and public transit. It becomes more expensive as you go further because the garbage truck, for example, has to travel further. The servicing costs more. But because the industry has been so prosperous, development charges have escalated substantially in the urban core. We hope that the industry can continue to pay that, but we're seeing affordability thresholds.

Should there be incentives for those areas in terms of lower development charges? Yes, but it's a balance because you need to pay for the infrastructure.

Mr. Wayne Gates: That wasn't exactly where I was going.

Ms. Julie Di Lorenzo: You're asking should you charge development charges to work in that—but it is a paradox. I didn't mean to give you an ambivalent answer.

In the new community, how do you stimulate investment if your charges are higher because you're reducing your land values? In Mississauga, the development charges are so high now that the land value is zero in multi-unit residential. So you're taking it out of somewhere because the affordability is only so much.

Do I believe that development charges area-wide should be directed to new city initiatives? Yes. Do I believe you should still incentivize people to come to new communities? Yes.

Mr. Wayne Gates: Okay. Somebody's got to pay, though.

Ms. Julie Di Lorenzo: Someone's got to pay.

Mr. Wayne Gates: Somebody's got to pay. So—

Ms. Julie Di Lorenzo: So if the city and the province have a mandate, an area-wide charge should be directed to a specific project in the provincial interest. For example, if I'm building at Bay and College—I built a building there once on 100 feet by 100 feet, which is a suburban lot in some places, and housed 120 families—spectacular efficiency. Those development charges could go to—because the infrastructure was there—Waterfront Toronto. That's an old building, but it's an example. Projects on existing infrastructure are revenue-neutral. Those development charges could be specific to a project that's in the provincial interest.

Mr. Wayne Gates: Okay. Does the witness believe the expansion of the island airport would help or hinder growth and livability near the waterfront? The second part of that is, do you share the concerns of the Waterfront Toronto staff regarding the possible negative impact of any kind of expansion?

Ms. Julie Di Lorenzo: I don't know enough about the issue save and except from a consumer—it's clearly a very convenient thing from a business person standpoint. Would I appreciate the noise if I lived there? I'm not even sure if the noise levels are something that I understand yet. I would investigate that and become more informed. But in any development process, there's supposed to be tension, and the tension is supposed to bring about a better process and a better development.

I once showed up for a hearing for my project at Yonge and Roxborough with 200 people in the neigh-

bourhood against me. I didn't resent that. That's part of distilling all the concerns. So when I become more familiar with the issue, I hope to give you a better answer—follow up on a better answer.

Mr. Wayne Gates: So you'll have an opinion on it once you know the facts?

Ms. Julie Di Lorenzo: That's correct. Thank you.

Mr. Wayne Gates: And that's fair.

Ms. Julie Di Lorenzo: That's true. Thank you.

Mr. Wayne Gates: Do you see any particular challenges confronting Waterfront Toronto or the board in the near future and how do you expect to contribute in responding to these challenges? You obviously know the area quite well.

Ms. Julie Di Lorenzo: Yes. I appreciate the question because urban marketing is a concept that comes out of every recession. What that means is, you need to attract international money now. You're no longer attracting money from within the country. You need to find investors from all over the world. But we'd also be competing with other places in the world for that same money.

There's a great tradeshow in Cannes, France, called the MIPIM. I could tell every time I would go if there was a soft economy or there was lots of money in the system, because whoever had a display, you could figure out if economic development was the issue. The answer is, I believe economic development will be important. There is competition for developer money and so that will be a concern, that the economy remains stable, but you can also market cities in slower economies, and Waterfront Toronto has done everything right to be on that radar screen.

Mr. Wayne Gates: Well, it's got the natural beauty right there. I'm not so sure we're utilizing that beauty to the degree that we should. That's a debate that we could always have, but—

Ms. Julie Di Lorenzo: One of the points I tried to make is that I believe Waterfront Toronto, with their built form, has been very sensitive—much more sensitive than our history in the past in Toronto on the waterfront. Because of that, it's got all the right ingredients to do very, very well by respecting that feature.

Mr. Wayne Gates: And I hope they continue to do that.

Ms. Julie Di Lorenzo: I hope so, too.

Mr. Wayne Gates: It's a jewel you shouldn't lose because of development.

Two things. I don't know how much time I have left, but—

The Chair (Mr. John Fraser): You've got two minutes.

Mr. Wayne Gates: Oh, good. Two more minutes. Wow.

A couple of things. I like the fact that you said you support Canadian products. For a number of years I've always talked about supporting local, buying Canadian products, although I do want to say that I have a lot of concerns around the new trade agreement that was just

signed. I think it's going to take a lot of that opportunity away. If you read some of the stuff in there that has leaked out, municipalities won't even be able to make up their own minds on selecting local contractors, local builders, local developers. So I have some concerns around that. When it comes out, maybe you'll want to take a chance to read that, because that is a big concern that—

Ms. Julie Di Lorenzo: I appreciate that and I'm glad you have flagged it for me. I will research that.

It's funny that although Germany with Volkswagen isn't a good example today, Germany would put in their building code technological specifics that related to industry in their country. So there are ways of promoting your own products that don't interfere with a trade agreement, still fulfill the rights of a trade agreement; but what we don't know is that we can make great products here.

I'll give you a quick example. There's a suitcase called Rimowa. That is a German man who came, fell in love with Ontario and now manufactures them here—industrial design, high-quality jobs, and he's opening a second factory. I don't think we promote those stories enough.

It's a synergy in business. You don't want to be the one person, but if you have somebody else, there's a psychological campus. It's a benefit to the country and, obviously, to the province.

Mr. Wayne Gates: I'll just go, really quick. I agree with you. Probably the best auto workers in the world are right here in Ontario, and under that agreement we're being attacked because of tariffs. I think that's a big, big mistake. We make the best cars in the world—nobody would even argue with us—and there are other sectors of the economy that are the same thing. Pay attention to that, because it may hurt exactly how you feel and I probably feel going forward—a disadvantage to Canadians and Ontarians.

Ms. Julie Di Lorenzo: Thank you for bringing that to my attention.

Mr. Wayne Gates: Thanks. I enjoyed our conversation.

Ms. Julie Di Lorenzo: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Ms. Martins.

Mrs. Cristina Martins: Thank you, Ms. Di Lorenzo, for being here this morning and for speaking so passionately about the sector that you have been involved in for so long. Through the discussion you had with MPP Gates, I know you bring a wealth of experience, living it, as you said, from the ground up.

My question for you today is: From a developer's point of view, could you talk about some of the successes you see at Waterfront Toronto?

Ms. Julie Di Lorenzo: When I talk about built form and massing, the shapes of the building, for example, and I compare it to communities that grew very quickly—and I'll give an example: Hazel McCallion had the guts to say late in her career that if she would have planned more for

infrastructure and public transit, it probably would have been of benefit, because once you've built something you can't move buildings; you can't move homes.

What Waterfront Toronto has done is they have done it right from the ground up. Even if you can't afford public transit today, it's ready for public transit when you can afford public transit. The built form has respected the environment.

The built form is very pleasant. I'm not particularly a fan of 80-storey buildings, for example. I'm not sure what the relationship is for that person in the community. Waterfront Toronto has done a very good job at mixing the built form so that one can choose if they prefer a low-rise where they can look out the window and see a tree, or a high-rise where they feel that they're more a part of a bigger city. So they've done that very, very well.

Mrs. Cristina Martins: Okay, thank you. What are some of the upcoming projects you're most excited about, and what will you do as a board member to ensure they are completed on time and on budget?

Ms. Julie Di Lorenzo: At Waterfront Toronto?

Mrs. Cristina Martins: Yes.

Ms. Julie Di Lorenzo: I'm well aware that there is a flood plain issue and I understand that that is something where all levels of government need to co-operate to accomplish that goal. I believe that although that's not glamorous, it's probably essential. Once I do the research—I believe it is, from what I've understood. That would be a primary, even though, again, not glamorous—a very important foundation stone for the whole development, for the expansion of the development.

Mrs. Cristina Martins: Thank you. I'm not sure if you wanted to add anything else or if you had anything else? You're good?

Ms. Julie Di Lorenzo: I'm delighted. I was here last in 1992 making a deputation. It's quite an honour to be here again.

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Mrs. Cristina Martins: And it's a pleasure to have you here as well. Thank you so much.

The Chair (Mr. John Fraser): Thank you very much, Ms. Martins. Mr. Pettapiece.

Mr. Randy Pettapiece: Welcome. The corporation has had some difficulties staying within budgets.

Ms. Julie Di Lorenzo: Yes.

Mr. Randy Pettapiece: As a board member, what steps would you take to correct that, if you could?

Ms. Julie Di Lorenzo: I'm really lucky. Being a developer, you see all kinds of issues that look unequitable. For example, I have a million-dollar marketing budget, but my engineer makes \$200,000. I find that crazy, but it just happens to be the way certain sectors work. If I don't have a million-dollar marketing budget, I can't sell my product. So some things to the public domain or to the public eye or to the public optic look extravagant or preposterous, but they become a landmark that actually add goodwill.

I will provide the scrutiny that I provide in my business, but I also understand that it's a public forum, so

you can't put your fist down and do the same mannerisms. But there will be a mechanism to be very, very careful about the public purse.

Mr. Randy Pettapiece: Yes. When you get into public life, it's something that you really have to watch and try to be careful with. We've certainly seen many examples in the past number of years of how that can get out of control.

They expect to run out of money by 2017, the corporation. Can we do any immediate action or do you see any kind of immediate action that we can take to manage the funds that are there now?

Ms. Julie Di Lorenzo: Well, I think in every business you talk about—and it sounds drastic—a burn rate. I think it would be very important, when I was a board member, to understand what financial capacity we have and how long that financial capacity will last, and how to make sure that we don't get stopped in our tracks. There will be some collaboration required from levels of government, but of course everyone likes to hear the private sector taking up their responsibility. That's where marketing of that whole enterprise starts to become more relevant.

I was looking at the webpage. It's a very dated marketing campaign, because it started in a different era. I remember very distinctly when it started. Again, these are dollars that you might not like because marketing money—again, I give that analogy of a million dollars versus \$200,000 for an engineer. It's really necessary to attract investment. There may be some things that need to be done that look exuberant but are required to bring in more money. But I'm very careful. I micromanage my budgets with sensitivity analysis all the time.

Mr. Randy Pettapiece: I was interested in some of the comments on public transit. I think one comment was that development charges just go directly to a certain project. Have you seen this done before?

Ms. Julie Di Lorenzo: I've seen many, many examples all over the world. If there is a specific project that's of specific interest to the community and benefits the community, it's not uncommon for development charges to be directed. In fact, they already have something similar to that, and it's something called a section 37, where it's supposed to go into an area of need. It's supposed to be directed to the local community and an area of need. So there are many mechanisms that are available in taxation that don't offend the industry that also can be specifically directed to projects.

Mr. Randy Pettapiece: And that is in place now, the section 37?

Ms. Julie Di Lorenzo: Section 37 is in place right now in Toronto.

Mr. Randy Pettapiece: Okay, all right. I wasn't aware of that. I come from out in mid-western Ontario, and there's always this Toronto—and what I tell them—there's always a certain mindset that all money comes here. Our tax dollars come from the other parts of Ontario to feed Toronto.

I certainly believe Toronto has to be strong. That's part of the mix that we have to have to make Ontario successful. So that's interesting to me that, if that mechanism is in place, that it could be used.

You were the president of the home builders' association?

Ms. Julie Di Lorenzo: I was. Yes.

Mr. Randy Pettapiece: The Toronto home builders' association?

Ms. Julie Di Lorenzo: They were called the Greater Toronto Home Builders' Association, and they're now called BILD.

Mr. Randy Pettapiece: Oh, okay, because the president of the Ontario Home Builders' Association, John Meinen—have you ever met him?

Ms. Julie Di Lorenzo: I have not met him, no.

Mr. Randy Pettapiece: Okay. He's from Stratford, where I'm from. He does a terrific job. That home builders' association is something that we really rely on to help us move along the way.

I just want to say thank you for coming in this morning.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Ms. Di Lorenzo, thank you very much for being here this morning and for your presentation. We will consider the concurrences at the end of the meeting. You're welcome to stay. Thanks very much again.

MR. GUY FREEDMAN

Review of intended appointment, selected by official opposition party: Guy Freedman, intended appointee as member, Champlain Local Health Integration Network.

The Chair (Mr. John Fraser): Our next intended appointment is Guy Freedman, nominated as member, Champlain Local Health Integration Network.

Mr. Freedman, can you please come forward? That's great. Thank you very much for being here this morning. You will have time to make a brief presentation. Any time that you use for presentation will be taken from the government's time for questions. You will be asked questions by members of all three parties. The questioning will begin with the government. You may proceed, Mr. Freedman.

Mr. Guy Freedman: Thank you. Pizhew nindizhinikaaz, Pizhew dodem. My name in Ojibwe is Lynx, and I am a member of the Lynx Clan. My name in English is Guy Freedman—or, as my family calls me, Guy. I wanted to honour the territory I'm on. It has been the place of many indigenous nations for meeting and trading for hundreds and hundreds of years, including the Métis.

Mr. Chair and members, it is my honour to appear before you to speak to why I have let my name stand to become a board member of the Champlain Local Health Integration Network, to speak to my qualifications and to tell you a little bit about myself.

I am an expatriate Manitoban, born and raised in the northern community of Flin Flon, Manitoba, 56 years ago to a Jewish father and a Métis mother. I have called Ontario my home now for over 30 years, since August 1985. It remains my home and of my wife of 27 years and our two children, Maxim and Alexandra. I am well-traveled internationally, across this great country of ours and across Ontario. I am very proud of my Métis heritage and am a member of the Métis Nation of Ontario, as are both of my children.

I am intimately familiar with health care issues from both a personal and a professional perspective. My work life has been wide and varied and ranges from being an underground miner to a former executive assistant to a Manitoba cabinet minister, a federal civil servant and the senior adviser for the Truth and Reconciliation Commission of Canada. I'm the founder and owner of a successful aboriginal consulting firm called First Peoples Group. It is at First Peoples Group where I continue to work on issues that are dedicated to the revival, renaissance and resurgence of First Nations, Métis and Inuit cultures through the arts, media and business. We have a strong focus on education, social services and health.

As you may know, Ottawa is home to some 30,000 aboriginal peoples. For over five years, I had served as the vice-president of the board of directors for the Wabano Centre for Aboriginal Health, one of Ontario's 10 aboriginal health access centres. Working with our community, board and an outstanding executive director, who was recently honoured with the Order of Ontario for her work in the health care field, Wabano has grown from its humble beginnings 15 years ago into a world-class aboriginal health centre that has completed a 25,000-square-foot, \$15-million expansion. I was proud to be a part of bringing health access to First Nations, Métis and Inuit living in the Champlain health region and remain an active volunteer.

As I said earlier, I am intimately familiar with health care issues. My brother was diagnosed with type 1 diabetes when he was 12 years old. I grew up understanding how being healthy could change and what might be required to stay healthy. My brother is now 59 and, I dare say, in better shape than any of us here today. My late mother suffered from post-partum depression and struggled all her life with mental health issues. She spent her last 19 years in Taché nursing home in St. Boniface. She endured many intrusive health care experiments including electroshock therapy, a once-common practice that has left many patients in worsened states. I grew up understanding that sometimes health care, particularly mental health care, doesn't go exactly as planned.

Two and a half years ago, I was diagnosed with stage 4 tonsil cancer that had spread to a few lymph nodes on the left side of my neck. In addition to meeting with three western-based doctors, I sought and consulted traditional First Nations and Métis healers and medicine people to come up with a treatment plan that took into considera-

tion both ways of healing. I was hopeful and I was determined to live.

Over the course of 42 days between April and late May of 2013, I received 35 rounds of radiation, five days per week for seven weeks, and two rounds of chemotherapy. Prior to this treatment, I received a pipe ceremony and healing ceremony in northern Ontario by First Nations and Métis medicine people that included receiving my spirit name, Pizhew, a drum, a pipe, an eagle feather and medicines that I used throughout and in concert with the Western ways of treatment. A little over a month ago, my oncologist released me from his care, and I am grateful that my health has fully recovered. I live a very healthy life now and cannot remember the last time I ate at a fast food place.

The care I received from the Ottawa Hospital was beyond exceptional. In addition, during my treatment, I was asked by my medical oncologist at the time that when I got better, would I help the hospital find ways of helping aboriginal people better access and navigate health care in the region. I quickly agreed.

This past December, I was privileged to emcee the opening of the new Windôcage community room, which was opened on the winter solstice, a time to acknowledge change and renewal in aboriginal culture. First Nations, Inuit and Métis communities in the Champlain region helped design and name Windôcage, ensuring that it represents their culture and helps put aboriginal patients and families at ease. The room offers a comfortable, welcoming meeting space and a waiting area near the fireplace in the cancer centre.

0930

The decision by the hospital to move in this direction was a confident move, and as I said in my remarks that night, it was a bold and much-needed gesture of reconciliation to First Nations, Métis and Inuit that I hope all hospitals, not only in Ontario but in Canada, will have the courage to follow.

It is these experiences in the health care sector and in my life, Mr. Chair and members, that have led to my interest and motivation to support the mandate of the Champlain LHIN and to serve as a passionate, committed member of the board, not just for aboriginal people but for all Ontarians, to ensure that we strive to live a good life—Bimaadiziwin, a healthy way of life.

I will bring a positive, prevention-based approach to the board, and commit to doing my best to ensure that our much-needed health care dollars are spent wisely to do the most we can so that all those we serve can live that healthy way of life. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Freedman. Mr. Potts.

Mr. Arthur Potts: Thank you, Chair, and thank you, Mr. Freedman, for coming here. Welcome back to better health.

Mr. Guy Freedman: Thank you.

Mr. Arthur Potts: I'm delighted, and your story was very moving. In my family, my sister-in-law, with non-Hodgson's lymphoma, also received aboriginal support

from friends of ours in northern Manitoba. She went out for healing circles with feathers and visions that helped. What was very impressive for me was the marrying of the two opportunities in western medicine and the support she got from the aboriginal communities. It wasn't an either/or choice; there was a way of integrating both cares.

She is not herself First Nations, but it was through friends of hers who brought her into this opportunity. It was spiritually, physically and mentally very positive for her, and I'm pleased to say that the treatment she received in their totality have helped her come back to full health.

So I was quite moved by your story. I appreciate it. Maybe you could expand more on how you see the opportunities with Wabano and with this particular LHIN in marrying these two different approaches to health and healing, and how you would bring that knowledge to the board.

Mr. Guy Freedman: Yes. Thanks for that question. It was the oncologist who approached me. When you're told you have stage 4 cancer, you're not really worried about a lot of things, except death and living perhaps. He was a South African, but he also happened to be a Jew. He wore a yarmulke that indicated that, and when he saw my last name, he was quite happy that he might have been treating a Jewish person. But I was raised a Catholic and I was raised an aboriginal person. My mother didn't convert.

So I think what I mean by this is that our doctors, some of them who are well trained, will understand that culture is important. Whether you are First Nations, whether you're from a new country coming over for the first time or whether you've been here a long time, culture matters. I think our hospitals are starting to understand that, and that spirit matters. I'm not going to get all preachy on everybody in this room, but I was one of those guys who prayed when I was in deep trouble, and only then. That changed. There's great power in prayer, regardless of who you think your creator is.

I'm very comfortable with the hospitals across this province, that they're well on their way to understanding—and Canadians are too—that First Nations, Métis and Inuit have a place. It might be a little different. It might not look the same. The accommodations that were made for everybody in this room, whether you're a woman, whether you're a disabled person or whether you are someone who is transgender—all that is changing. We're on the verge of becoming that country that we all dreamed about a few hundred years ago. I see it, I live it and I will work hard for that.

Mr. Arthur Potts: Excellent. Not to dwell on it, but again, my family's not First Nations, not with a name like Potts. You will of course recognize Jerry Potts as a great Métis First Nations individual.

Mr. Guy Freedman: Sure.

Mr. Arthur Potts: My father would always talk a lot about how he wished he had a stronger connection to the First Nations and the Métis operations. He would meet

people who were named Potts, First Nation members, and discovered that the name Potts in the First Nations came because of a very successful poker player many, many generations ago who was nicknamed Jack Potts. Jack Potts had a son, Jerry, he had a son, Joe, and that's potentially the origin of my last name. But we're from Scotland, so I can't really lay any claim there..

But part of this opportunity for my sister-in-law was that in a healing circle she was presented with an eagle feather, and she had visions which were very profound. It's one of those touching stories. When she came home, it was wrapped up in an oilcloth, and she said to her son—her son said, "Mom, while you were away, I had a dream." She asked him about the dream, and he said, "Yes, you were given a feather." He hadn't seen it yet, and they literally just opened it up and there it was. Obviously there was a spiritual connection that transported that geography, which I believe contributed very much to her well-being and her mental attitude towards what she was going through.

So I appreciate very much you being here and bringing your story, and look forward to having your input into this LHIN.

Mr. Guy Freedman: Thank you.

The Chair (Mr. John Fraser): Mr. Bailey.

Mr. Robert Bailey: Thank you for coming, Mr. Freedman. It has been a very interesting morning. I enjoyed your story about healing and I'm thankful that you recovered. Congratulations on that.

To go back to the LHIN a little bit, how do you feel the LHINs in Champlain directly could serve the First Nations people in a better way? I know they're probably doing a good job now, but how do you think they could step that up and improve that?

Mr. Guy Freedman: Sure. There are a couple of priorities that we need to focus on, one of them being mental health, and not just in the Champlain LHIN, but across the country, really. There are a number of areas with our seniors and our growing population that we need to have more focus on.

I have not been privy to the information of the Champlain LHIN, of its operating or its previous plan. I'm only making myself aware of what is in store for the next few years. It falls in line with what I propose that I bring to the board, which is a way of looking at all kinds of alternatives, whether it's an alternative level of care or alternative ways of healing or additional ways, so that we can stay out of the hospital as much as possible. The words my oncologist said to me, "I hope you don't take this the wrong way, but I never want to see you again." I want all of us to never have to fall down a flight of stairs as we grow old. I just want to support their priorities.

Mr. Robert Bailey: I have a significant First Nations population in my riding of Sarnia-Lambton, so I'm very interested in the interaction between the—we have a very successful LHIN there as well, in southwestern Ontario, in my riding. They've just advanced some new money, I think, to mental health care, which is something that's sorely needed over the whole province but especially in

my area. I think it's a pilot project we're working on there.

It would be interesting to know—I was surprised at the number. You said there were 30,000 aboriginal members in the Ottawa area?

Mr. Guy Freedman: Yes, and in the area where Wabano is—and I'm guessing our Chair has been there; he's a member for the Ottawa area. If you haven't been to the Wabano area, you should go. It's a very impressive building designed by Douglas Cardinal. It's referred to as Little Nunavut. The largest population of Inuit outside of Iqaluit live in downtown Vanier, in Ottawa. You have the Algonquins of Pikwākanagān nearby at Renfrew, in that area, and you have the Kitigan Zibi and beyond that, Barriere Lake on the Quebec side. It's also close to Mohawk territory near Montreal and Tyendinaga.

Because of the nature of the business in Ottawa, many aboriginal people from across the country work at aboriginal jobs and aboriginal agencies for aboriginal self-government representatives. It's a vibrant community.

I come from Winnipeg. It's a little different. There are 80,000 people downtown on the street every day that you see.

Ottawa is there. We're spread out a little bit more. If I'm not mistaken, I think Wabano has 12,000, maybe 15,000 patients alone, on their charts.

The Chair (Mr. John Fraser): Mr. Pettapiece?

Mr. Randy Pettapiece: This has been a very interesting conversation, not only from you but from the previous application person, I guess—

The Chair (Mr. John Fraser): Nominee.

Mr. Randy Pettapiece: Nominee. I guess it's an attitude thing that I see here, which is that your attitude is really good. You're very enlightening. I'd want to have you on my board, I guess is what I'm saying, because of this attitude that you bring with you, not only for the First Nations people, but certainly for other people in this province, because we all are in this province for the same thing: to be successful and live a healthy life.

There have been some difficulties with—and I don't know whether you've studied this or seen it too much—the amount of money not going to front-line health care, having to do with extravagant administration fees and stuff like that. One of the targeted areas was the CCACs, that they're spending too much money on paperwork and not enough money on front-line health care. Were you aware of this when you first decided to look at this position?

Mr. Guy Freedman: I'm more aware of the fact that \$7 out of every \$10 targeted for health care for some of our remote and northern communities is spent on travel. I'm trying to find other ways of doing that. If we can keep people healthy, we're going to keep them out of the hospitals to begin with—a little bit more proactivity on that part, perhaps, as a province. I'm not aware of what the health campaign schemes are here. I'm so old that I can remember ParticipACTION. Now I have a phone that

tells me I walked 3.4 kilometres already today since I got off the plane this morning.

0940

We've got great technologies to put in place some of the answers to those questions that you're posing. If you come from the non-profit sector like I have for the past number of years, you're very mindful of what it takes to operate a place and how you have to pay to keep those doors open.

As an aboriginal person, my eyes are on the bottom line as well. I don't want a handout; I don't want a hand up. I want access to the same levels and networks of power that everyone else in this province does. I think you're recognizing that, as you fund the aboriginal organizations, particularly the health care and the access centres, we do a really good job of looking after our people. And I'm sure you do a really good job in your riding looking after your people. So we're all in it for the same reason.

The other thing that I want to say, on your point about “everybody,” I want the narrative of this country to change. I don't want to refer to anybody in this room as a non-aboriginal person. We're part of a movement that is saying we are the original peoples of this land and all Canadians. I don't think you want to be a non-aboriginal any more than you want to be a gentile if you're not a Jew. Let's start supporting ourselves on who we are and bring everybody in because that's how—again, I don't mean to educate people on the history. I certainly didn't get it. I had the same history that you did and didn't understand or know about residential schools until I started living the experiences of it. Let's go back to those old ways, welcoming us as a people, celebrating our differences. But you'll understand, as I have, that we have more similarities than we have differences.

Mr. Randy Pettapiece: That's true.

Mr. Guy Freedman: Let's build this healthy Ontario. This isn't my favourite province; I'm going to tell you that right now. There's a saying in Manitoba: If you want to call yourself a Manitoban, you've got to either be born in Manitoba or die in Manitoba. So I've got half of that figured out. The other half is: I'm not afraid to die anymore. I'm probably more afraid to live than I am afraid to die. And I'm trying to get that into what the Champlain LHIN does: Welcome what you have; be grateful for what you have. This is a pretty decent place, right? This is a great country. This is a beautiful province. I'm in love with it.

Mr. Randy Pettapiece: Do I still have time?

The Chair (Mr. John Fraser): Yes, you do.

Mr. Randy Pettapiece: I think that's an opinion that's felt by all members of this committee: that we do live in a great place. I'm going to tell you about my riding a little bit. We are heavily agricultural, and the dairy farmers, the hog farmers, whoever involved in our area and certainly around the province, do take seriously the health of their citizens and they promote their products in the schools, and healthy eating and that type of thing—more so than it used to be, because I remember

the days of vending machines with Twinkies. Those things are certainly gone, where they're supplying healthy foods now or else they're taking the vending machines right out because that's certainly not a great way to eat.

I appreciate your attitude because this is really great. I'm glad you came here today, sir. I wish you well.

Mr. Guy Freedman: Thank you. You too.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Mr. Gates.

Mr. Wayne Gates: Good morning there, young man. How are you?

Mr. Guy Freedman: I'm good.

Mr. Wayne Gates: I'm just going to give you a little bit of background. I'm from Niagara Falls. I've lived in Niagara my entire life, and certainly over the last few years we've had the opportunity down in Niagara to celebrate the War of 1812, in which First Nations played a major, major part in by shaping the country that we have today. Unfortunately, and I think you can agree to disagree, the one thing that came out of the War of 1812—a lot of people did extremely well. First Nations weren't among them.

I'm glad to hear that you're saying that you see things changing. They probably should have changed 200 years ago. So we're moving a lot slower than we should. I'm letting you know that I'm hoping that you're right on the money, that everybody is treated with respect and dignity, including First Nations. Quite frankly, we wouldn't have the beautiful country that you talk about, the beautiful province we have, without their contribution during that time when the United States tried to take us over, so say thank you to everybody that you know about that issue.

This second part is—interesting that this particular LHIN has a \$2.5-billion budget. One of the things that I know is just growing in leaps and bounds is mental health, yet they only spend 3.4% on that in the budget. Do you believe that's enough? Do you believe it should be less, it should be more? You probably see a lot of those.

Mr. Guy Freedman: Sure. I walked up here, looking for a decent cup of coffee, and wound up at a Starbucks about four blocks that way, passing a young man who had a bag of papers in his hand, and it all flew everywhere. You could see that he was camped out on the street. He asked me for advice. I was coming up here to meet with you guys. I guess I might have to go back there and ask him for some of that advice, right?

You heard me talk about my mother, with electroshock therapy and mental health. Regardless of whether it's through whatever reasons in your family and life that you can't cope—I think that everybody in this room has a personal story about that.

I bumped into somebody at the Wabano Centre last week, when Sophie Grégoire-Trudeau was there. The place was throbbing, with 300 or 400 people—kind of like midnight mass for the Catholics. Nobody shows up

every Sunday, but call a midnight mass and you can't get a seat in the place.

I spotted, across the room, Michael Wilson, the former finance minister under the Mulroney administration. I love politics. I love public service. I walked up to him and said, "You're Michael Wilson, aren't you?" He might have thought that I was going to give him a tongue-lashing or celebrate somebody else's election victory. I said, "I just wanted to say that I think, even though I'm not a Conservative where I come from, you were one the country's finest finance ministers, and I thank you for your service."

He chairs some sort of a mental health board, or some sort of a mental health commission. When they said that that's what he's doing, I said, "He must have a personal story." I learned of his personal story. So let's build on those personal stories.

Not all the time can our families be kept together in the way we want to. As you heard me say, mental health is a priority for the Champlain LHIN, and it ought to be a priority for this country.

You and I probably don't have that much difference in age. It's a little bit different for our kids now to live good lives, to find money to buy a house, to get a decent job. I'm worried about that generation. I have a 19-year-old and a 23-year-old who are navigating through life in a good way, but I know a lot of families that aren't. That's the hardest one. You dislocate your knee: You can understand that. You can't think straight, you're picking up bags and the paper, and asking a stranger for advice—that's a hard one.

I'm not going to advocate for more money; I'm going to advocate for money to be used in strategic ways, calling a priority a priority. Begin to speak about things in a good, positive way, and let's reduce the stigma of mental health as we've had to reduce the stigma of everything else that we've faced in this country. I think this country can be a leader in that.

Mr. Wayne Gates: Yes, it's amazing. Almost one in four, or one in four and a half, have mental health issues in the province of Ontario, and the dollars are not going there.

I actually agree with you. I think there are lots of dollars going to health care. Quite frankly, I just think that it's how they're being spent. In particular—my colleague here talks about rural Ontario—you can't close hospitals in rural Ontario and expect not to have your travel costs go up. So to your prioritizing, it's a good one.

In this particular LHIN, stroke care is below the benchmark that's set out. Wait times are higher. I'm sure you know this, but hopefully you can bring some solutions to that particular problem in this LHIN.

The Champlain community care centres: Again, you talk about how money is spent. We have a lot of challenges with CCACs across the province, some of it because of how they're doing privatization and stuff like that—it's not getting to the nurses. But the CEO is paid \$314,000. Would you think that is a good place to be

spending our health care dollars? To your point, because I'm trying—

Mr. Guy Freedman: Sure. Let me ask you a political question. Your salary, as a member of provincial Parliament, compared to the 100 highest-paid public servants that you might have authority to boss around, through a committee process or through a party process—is that fair?

Mr. Wayne Gates: Are you asking about my salary?

Mr. Guy Freedman: No, I'm saying the tail's wagging the dog, in some of those areas—

Mr. Wayne Gates: I could tell you a story about that one, that's for sure.

Mr. Guy Freedman: Do I feel that people are worthy of what they are able to be paid? Sure. I'm making a political point. We have public servants that earn way more than the Premier. We have public servants federally that earn way more than the Prime Minister. That doesn't make sense to a lot of people, I'm sure, so maybe we need to re-evaluate that.

Can I get by—I don't know what that would work out to, even—on \$30,000 a month or \$20,000 a month? Is that right? Is that \$360,000? I'm not really that—

The Chair (Mr. John Fraser): It's about \$25,000.
0950

Mr. Guy Freedman: It's good pay.

Mr. Wayne Gates: The math's not bad.

Mr. Guy Freedman: Yes, the math's not bad—one of my least favourite subjects.

But let's keep an eye on that. I want us to earn what we deserve to earn. What is the limit on those incomes? This is a government agency that I'm speaking to that really has no control over that at the end, but the citizens might have something to say about that.

Do I think it's a fair salary? I don't know what the person does every day, but it seems a little high to me, particularly when you take a look at what the average person in this province is earning. Everything needs a shakedown. Let's get paid for what we do here.

Mr. Wayne Gates: I guess where I was going with that is that the CEO is making that kind of money and the nurses in my riding, who are providing an incredible job every day with our seniors and those who are challenged, are getting \$15 an hour. I guess that's kind of where I'm going.

You have to take a look at—again, as it relates to me, there are lots of dollars out there; it's how we spend them. I think some of the choices that are being made around how we spend our dollars—they're not getting to the people who need it. In your case and my case, who have had health challenges over the years, it should be going to the patients and making their lives and quality of life as good as it can be until the end of their life. So that's kind of where I was going with that.

The other thing is it says that you were the president, owner and founder of the nation's First Peoples Group and OneNation media and design. Maybe you could explain a little bit about that. That's interesting to me.

Mr. Guy Freedman: Sure. Most of my life since my humble beginnings has been dedicated to aboriginal people. After about 20 years of government experience, I tired of the work that I was doing in the federal and provincial governments and I thought if I could make our people beautiful through media work by putting up nice posters and designing great logos, that would have an impact on how people felt about our people.

I had a co-op student who was working with us. He was 45 years old and going back to university. He couldn't be any more Indian if he looked like it. If you cast a movie, that's who you'd pick. He wore cowboy clothes to work every day. I said, "Gilbert, given that you're a Saulteaux Indian from outside of Winnipeg, why do you dress like a cowboy every day? I'm just curious." He said, "I can't afford to dress like an Indian. Do you have any idea what a nice beaded jacket costs, Guy?" So I was undervaluing my culture.

I thought, "So what if I put up a beautiful poster?" It's about the policy. It's about the actions on the ground. It's about working with the other sides of the table, saying, "We're here, too. Let's cut a better deal for everybody." So we morphed into a consulting firm that did things like developing a reconciliation framework with the Ontario Association of Children's Aid Societies, who are prepared to say they're sorry for the work that they did being one of the biggest perpetrators of the Indian residential school enrolment admission process.

It's about, "How do I change the basis of this country, and with no guilt, with no shame?" You didn't take the same school as I did in northern Manitoba, but we learned the same things. We learned nothing about residential schools, I'm sure. We learned a little bit, maybe, about Jerry Potts or Jack Potts, but I doubt it. We heard and learned that Riel was a traitor. Flash forward a few years and a descendant of his, Dan Vandal, just got elected in the riding of Saint Boniface that Riel was twice elected to, but was never allowed to serve. So this country is changing.

I'm in "Toronto," which is a name for the weir where the fish are driven into a point, near where I come from now, "Odawa," which is a trading place name, in the country of "Kanata," which means, "This is pure and this is sacred." We're living in aboriginal country. We are an aboriginal nation made up of all aboriginal peoples and all Canadians.

I'm really political about that, because I believe that seven out of every 10 Canadians in this room are dedicated and committed to making things work. The other three out of 10, if they understand the story that us aboriginal people are telling them, they too will be committed to making this work.

We're not about the past. We're about business; we're about jobs; we're about education. I want the same stuff as you and my kids do. My daughter wants an iPhone 6 just as badly as anybody else's daughter here in this room who doesn't have an iPhone 6. Let's do that in this province. We've got a great province with some extreme

disparities. Let's close that gap, like the national chief says.

I feel like I should I run for politics. I'm sorry I'm getting all wound up here.

The Chair (Mr. John Fraser): Thank you very much, Mr. Freedman. That's all the time—

Mr. Guy Freedman: I'm going to be all wired up, there.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Mr. Freedman, I'd like to thank you for being here and presenting today. I apologize if I got your first name—is it “Guy” or “guy”?

Mr. Guy Freedman: When we play hockey against each other, it's “Guy” because you'll be more afraid of me.

The Chair (Mr. John Fraser): Okay. There we go.

Mr. Guy Freedman: Can I tell you this? I was the stick boy for Reggie Leach and Bobby Clarke growing up as a little boy in northern Manitoba. And those two teeth that Clarke doesn't have? I don't have them either.

The Chair (Mr. John Fraser): Well, on that note, Mr. Freedman, I'll try to figure it out myself, which one to use. I appreciate it very much.

We're going to consider the concurrences at the end of this meeting. You're welcome to stay.

Mr. Guy Freedman: Thank you, everybody.

The Chair (Mr. John Fraser): Thank you very much.

We'll now move to concurrences. Our first nominee is Julie Di Lorenzo, nominated as member, Toronto Waterfront Revitalization Corp. May I have Mr. Rinaldi?

Mr. Lou Rinaldi: Mr. Chair, I move concurrence in the intended appointment of Julie Di Lorenzo, nominated as member, Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

Our second intended appointment is Mr. Guy Freedman, nominated as member, Champlain Local Health Integration Network. May I have Mr. Rinaldi?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Guy Freedman—whichever way; make sure we get the right person—nominated as member, Champlain Local Health Integration Network.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

Congratulations to both our intended appointees. Ms. Di Lorenzo and Mr. Freedman, thank you very much for being here.

We have one deadline extension to consider: Cal McDonald, nominated as member, council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario. It's an extension to December 8, 2015. Do I have unanimous consent? We do? Thank you very much.

Mr. Gates.

Mr. Wayne Gates: Put that thing down—that was too quick. I have new business for the committee.

The Chair (Mr. John Fraser): Okay.

Mr. Wayne Gates: I'm asking for unanimous consent to remove Ken Jeffers from the list of selections.

The Chair (Mr. John Fraser): Do we have unanimous consent?

Mr. Randy Pettapiece: Why is that?

Mr. Wayne Gates: Well, we selected him and we pulled his name.

The Chair (Mr. John Fraser): So you no longer want to question.

Mr. Wayne Gates: Yes.

The Chair (Mr. John Fraser): Okay. There's a motion on the table to remove Kenneth Jeffers from the committee's list. Do I have unanimous consent? Okay. Great. It is so done.

Mr. Wayne Gates: Thank you.

The Chair (Mr. John Fraser): Thank you very much. The meeting is adjourned.

The committee adjourned at 0958.

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 17 November 2015

Mardi 17 novembre 2015

The committee met at 0902 in committee room 1.

The Chair (Mr. John Fraser): Good morning. It's Tuesday morning again, folks. Welcome to public appointments.

Mr. Randy Pettapiece: If I might say, Chair, this is a brand new standard.

The Chair (Mr. John Fraser): Yes, I'm looking all around. People have got to be on time.

Mr. Randy Pettapiece: There's no one here from the third party. The government doesn't seem—

The Chair (Mr. John Fraser): And you've got an extra guy in the hall.

Mr. Randy Pettapiece: —to take the seriousness of this committee very—

Mr. Lou Rinaldi: The important people are here.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): Okay, here's the most important thing: Can I have a motion for the subcommittee report?

Mr. Randy Pettapiece: I shall do that.

The Chair (Mr. John Fraser): Mr. Pettapiece.

Mr. Randy Pettapiece: I move the adoption of the subcommittee report on intended appointments dated Thursday, November 5, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Any discussion? All those in favour? Opposed? Carried.

INTENDED APPOINTMENTS

MS. GITA ANAND

Review of intended appointment, selected by official opposition party: Gita Anand, intended appointee as vice-chair, Ontario Labour Relations Board.

The Chair (Mr. John Fraser): We have two intended appointments to review today. Our first intended appointment is Gita Anand, nominated as vice-chair, Ontario Labour Relations Board. Ms. Anand, can you please come forward?

Thank you very much for being here this morning. You are able to make a brief presentation. Any time that you use in your presentation will be taken from the government's time for questions. The questioning will begin with the official opposition. You will be asked questions by members of all three parties.

Thank you very much for being here today. You may proceed.

Ms. Gita Anand: Thank you, sir. Good morning, everyone. My name is Gita Anand and I am of South Asian origin. I grew up in Nova Scotia and moved to Ontario in 1986 upon graduation from law school.

I was called to the Ontario bar in 1988 and for the past 25 years, I have practised exclusively in the areas of labour relations and employment law, representing clients in unionized and non-unionized workplaces in both the public and private sectors. I have lived through the evolution of legislative change and jurisprudential development in labour and employment law.

My practice has focused on four main areas. I provide ongoing advice and representation to employers with respect to employment and labour statutes: the Labour Relations Act, the Employment Standards Act, the Ontario Human Rights Code and the Occupational Health and Safety Act, for example. In this advice, I have appeared regularly before the Labour Relations Board, the Human Rights Tribunal and other administrative tribunals of the province. I have advised on contentious matters as well as being part of dispute resolution processes and mediations.

The second area of practice involves acting as counsel at arbitration proceedings under collective agreements, and advising employers on the interpretation and application of collective agreements.

The third area in which I practise is as employer spokesman in collective bargaining, a role which has given me great insight into the dynamics of labour relations.

Finally, a portion of my practice involves acting as an external investigator for employment-related disputes, a role in which I often may be asked to mediate or facilitate resolutions of disputes.

As a result of those areas of practice, I believe I am respected in the labour relations community for my sense of fairness, my knowledge and my judgment. I would be pleased to answer any questions you may have.

The Chair (Mr. John Fraser): Thank you very much, Ms. Anand. Mr. Bailey?

Mr. Robert Bailey: Thank you for coming in, Ms. Anand; I've had a chance to look through your resumé.

According to our information, there's going to be a significant turnover in the coming years of members of the board. Understanding that, what changes or other

things could you put in place—I know you're not there yet—but what do you see that you could put in place to mitigate that? I think they're going to go from around 10 years of experience to less than three, with yourself being new as well. How would you see yourself mitigating—what would you do, along with training etc.?

Ms. Gita Anand: There's training, but there's also, in the appointment process, the appointment of people who have experience. That way, when there is turnover, the more experience the appointments have, to me, the better suited and better able the members of the board are to cope with that change. If people come in at a very inexperienced stage, then it's harder to become familiar with the board's processes.

Mr. Robert Bailey: Another issue that was pointed out to us is that apparently there is a big issue with the high volume of case management with cases before the board. Do you have any ideas of how maybe you could streamline that or what changes you could see with the rest of the board to manage that?

Ms. Gita Anand: Interestingly enough, the most recent board reports indicate that the volume seems to be dropping, which could be a function of a number of things. There are effective mediation services at the board.

I know that mediators are assigned to almost every application filed. The majority of files at the board appear to be settled or withdrawn; 20% are decided by way of hearing or consultation. I think that the backlog and the number of applications seem to be dealt with now through the use of mediation techniques such as telephone or electronic mediation. That could be one reason for the drop in the number of cases that are heard, but also a decreasing number of applications.

I think the board appears, at least from the outside, to be functioning well.

Mr. Robert Bailey: Do I have a little more time?

The Chair (Mr. John Fraser): Oh, yes.

Mr. Robert Bailey: What would be your particular contribution to this position, as vice-chair of the board, if you could enlighten the panel here as to how you see yourself making a significant contribution on your own?

Ms. Gita Anand: I think that every party should have an opportunity to present their case fairly. Cases should be given full consideration. I believe that my reputation with trade unions that I've dealt with is one that is an effective but reasonable representative of employers. My investigation role that I described to you forces me to be neutral in the evaluation of disputes, and I am confident that I can offer fairness and impartiality. I also believe that the tribunals of Ontario should reflect the diversity of Ontario, and I believe that as a very qualified applicant, I would help in doing that.

0910

Mr. Robert Bailey: Thank you. That's all I have.

The Chair (Mr. John Fraser): Mr. Pettapiece.

Mr. Randy Pettapiece: Thanks, Chair. The Labour Relations Board has served quite a role regarding

teachers' unions. How are you prepared to wade into this ongoing public issue?

Ms. Gita Anand: I will apply the statute and the law as necessary. I think that the chair himself has weighed in on the issue with his decisions. It's not something that I could foresee in terms of weighing in, unless I know what the issues are to be decided in front of me. There's policy and then there's the actual dispute. I think the role of a vice-chair at the board is to apply the Labour Relations Act or whichever statute you're dealing with based on the evidence and the hearing in front of her or him.

Mr. Randy Pettapiece: Okay. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Mr. Gates, good morning.

Mr. Wayne Gates: How are you today?

The Chair (Mr. John Fraser): I'm fine. How was your pizza?

Mr. Wayne Gates: It was good, man.

The Chair (Mr. John Fraser): Okay. Thank you.

Mr. Wayne Gates: Good morning. How are you?

Ms. Gita Anand: Fine, thank you.

Mr. Wayne Gates: Good. Did you ever represent the unions?

Ms. Gita Anand: No, I never have.

Mr. Wayne Gates: You've always represented the employer?

Ms. Gita Anand: That's right.

Mr. Wayne Gates: In this role, do you think you could be impartial on going forward even though you've only really dealt with one side?

Ms. Gita Anand: I believe I can. I believe that I have established a good reputation as a management representative. I can tell you that on one occasion—I've received postcards from union business agents when they go to Dunkirk for the 50th anniversary of the landing. As a result of a hearing we were in, suddenly I get a postcard. So I believe that I will be viewed as impartial by trade unions, and I can be viewed as impartial.

Mr. Wayne Gates: Just a follow-up to getting cards from trade—did you keep any of those?

Ms. Gita Anand: No.

Mr. Wayne Gates: Okay. I thought they'd be good to have on your resumé.

It doesn't happen. I'll tell you, I never sent any to the employers as a trade union guy. I didn't send them any cards after it, so I think that's a compliment to you. It wasn't anything bad.

Maybe you can explain an employer-last-offer vote.

Ms. Gita Anand: There's an opportunity under the act for a final offer to be made. It's a strategic decision on the part of an employer to demand one, and it's rarely used.

Mr. Wayne Gates: Have you ever been involved with one?

Ms. Gita Anand: No.

Mr. Wayne Gates: You haven't?

Ms. Gita Anand: I have advised on whether one would be asked for or requested, but employers haven't actually done that.

Mr. Wayne Gates: So what's your opinion on an employer-last-offer vote?

Ms. Gita Anand: It's a lever. It's an opportunity to seek resolution by way of a final offer. Certainly, the act allows for a final offer to be made to a union in circumstances where there may well be a strike.

Mr. Wayne Gates: In your opinion, does it help or hurt the process?

Ms. Gita Anand: I don't think it helps or hurts the process. It's part of the process.

Mr. Wayne Gates: Okay. Maybe you could explain to my colleagues: What's a conciliation officer?

Ms. Gita Anand: A conciliation officer is an officer of the board appointed to assist the parties to reach a collective agreement. Unions and employers can apply for conciliation services right after notice to bargain is given. More and more one finds that, before the parties even sit down to bargain, a conciliation officer is appointed. But at any time during the bargaining process, the parties can access this neutral conciliation officer to assist in the finalization of a collective agreement.

Mr. Wayne Gates: It was raised by my colleagues around the teachers' unions. Obviously, they've gone through a tough round of collective bargaining on both parties, but at the end of the day, they came to a settlement that both parties, by the sounds of it, think was just. It sounds like their membership is in agreement with—do you have any comments on what you've read or what you've seen as a lawyer on the process at all?

Ms. Gita Anand: Not really. I wasn't part of that process. I only read the newspapers, as you say. It was a protracted process and certainly caused some public debate, but other than that, I don't have comments.

Mr. Wayne Gates: So in your long career—in my understanding, about 25 years so far—have you seen an agreement between two parties, in this case the government and the teachers' unions, but between a number of unions that would go on for 14, 16, 18 months? In your involvement with an employer, have you ever had a bargaining session that's taken that long?

Ms. Gita Anand: I have, actually, as a matter of fact.

Mr. Wayne Gates: And where was that?

Ms. Gita Anand: That was in the broader public sector involving the Canadian Union of Public Employees. The bargaining of a first contract took that long. Perhaps that's not as unusual for a first contract. The bargaining of a first contract can take a long time. Renewals, though, don't usually take that long.

Mr. Wayne Gates: So you might have seen one go that long. Actually, I'll take a—I've got a couple of seconds here?

The Chair (Mr. John Fraser): Yes.

Mr. Wayne Gates: I'm going to take a shot here, because we have one to your point—CarePartners in St. Catharines that is trying to get a first collective agreement. They've been on strike now for almost six months.

We're hoping that the health minister will get involved with that and get that resolved.

I understand that first agreements are a little tougher than ones that have some form of history that has been established, but certainly, some first agreements take longer than they should. Have you ever been involved in the first agreement, and what did you find was the most important thing for the two sides to understand, in a point of being fair?

Ms. Gita Anand: Well, in a first agreement, both sides are trying to—it's like building or negotiating a constitution, because both sides are trying to optimize the terms of what will govern the parties moving forward and govern their relationship. It does take longer and it always will take longer. Really, it's a question of how the bargaining relationship works and how well the parties can eventually reach agreements.

Mr. Wayne Gates: Being a lawyer for an employer, you probably may understand this. I'm going to throw this out as well. It's always easier to get a collective agreement—and you can respond to this—if you have two dance partners who want to dance. If you have one side that's not interested, it makes it extremely tough to get a collective agreement. Would you kind of agree with that?

Ms. Gita Anand: I would agree with that.

Mr. Wayne Gates: Thank you very much.

The Chair (Mr. John Fraser): Madame Lalonde?

Mrs. Marie-France Lalonde: Thank you very much for being here—a real pleasure this morning. I'm quite impressed, actually, in terms of not only the knowledge, but your practice and everything you've done for the past 25 years. It's very impressive, and I'm sure people on the Ontario Labour Relations Board will be quite content, hopefully, to see you there.

Based on your experience or your previous encounters, have you had the pleasure—or displeasure—of interacting with the Ontario Labour Relations Board?

Ms. Gita Anand: I have, as I said, appeared in front of the board regularly. I appear both in contentious disputes as well as mediations and settlements. The board provides really good dispute resolution services to parties, so oftentimes—and always, you go to a mediation before you have a hearing. So I have had the opportunity to attend both those mediation sessions and hearings before the board and reconsiderations of decisions before the board, as the rules allow.

0920

Mrs. Marie-France Lalonde: I was reading your resumé, and I'm a little bit curious if you can just tell me a little bit about your role. I know it's national chair of the inclusion and diversity committee. Can you maybe touch a little bit—I know we have a little bit of time, Mr. Chair—on that?

Ms. Gita Anand: Absolutely. The private sector is a little bit behind in diversity-type activity than perhaps the public sector has been, so back in 2008 I drafted and our firm was pleased to adopt a diversity policy. We adopted a national steering committee, of which I was chair until

this year. That committee's role was to apply that policy: First of all, roll it out, have people trained in diversity concepts, and then try to apply this policy through our application, recruitment, performance management and team-building throughout our firm.

So it's really a role by which we are trying to bring diversity to a law firm, which, you know, is a challenge.

Mrs. Marie-France Lalonde: Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Ms. Lalonde—Madame Lalonde, I should say. And thank you very much, Ms. Anand, for being here this morning. You may step down. We'll consider the concurrences at the end of today's meeting, and you're welcome to stay.

Ms. Gita Anand: Thank you very much.

MR. MURRAY PORTEOUS

Review of intended appointment, selected by official opposition and third party: Murray Porteous, intended appointee as chair, Agricorp.

The Chair (Mr. John Fraser): Our next intended appointment today is Murray Porteous, nominated as chair of Agricorp. Mr. Porteous, can you please come forward? Thank you very much for being here today.

You'll have the opportunity to make a brief opening statement. Any time that you use for your statement will be taken from the government's time. You'll be asked questions by members of all three parties, and it will begin with the third party.

Mr. Porteous, you may begin.

Mr. Murray Porteous: Thank you Mr. Chairman, committee members and guests.

I've always said that a candidate should be measured by the strength of their convictions and the depth of their character, not by a resumé, so I really appreciate the opportunity for you to get to know me today.

I grew up on a dairy farm, and we had some apple orchard and cash crops. My family sold the dairy herd and focused on grain and fruit production in 1973. My father was then asked by Cuba to help their farmers learn dairy production, and that winter our family became the second non-Communists to enter Cuba since the revolution in 1956. The experience gave me an appreciation for good government and a respect for our freedoms.

My dad believed you should work for someone other than your father. He also believed that if you paid your own way through university, you'd value your education more. To pay my way, I raised livestock, rabbits and poultry, worked for several area farmers in vegetable crops and tobacco, and managed the processing at the Norfolk Cherry Company. I also taught leadership development for the Ministry of Agriculture and worked for an agricultural chemical company.

In turn, my family hired several students over the years. Toby Barrett worked for us. Dad said he turned out to be a better worker than he expected.

I've been fortunate to have worked in every major agricultural production area of Canada and in most of the

sectors, including grain, livestock, poultry, fresh and processed fruits and vegetables, crop protection and animal health, prior to returning to the family business. In my work, I toured agricultural production areas across North, Central and South America, the Caribbean and Europe.

I'm an apple, pear, sour cherry and asparagus grower, but agriculture is a complicated industry. My broader range of experience has given me an in-depth understanding of it. As a result, I've been asked to represent my industry at provincial, national and international levels.

I'm a politically aware person, but not a partisan one. I look for win-wins and have always tried to assist our elected representatives and public officials to avoid embarrassment and make good decisions. This has gained me friends at every level of government I've dealt with. When I go to the annual negotiation meetings for the Seasonal Agricultural Worker Program next week, I speak for Canada. The representatives of the Caribbean Commonwealth countries say they see me as a friend who cares deeply about the people employed in the program, and the provincial representatives in my caucus see me as a fair chairman who builds consensus.

I've acted as the president or chair of several organizations and, without exceptions, all were in a more stable financial position at the end of my term than they were at the start.

I developed the company Fox Seeds and was its first president. Our farm was also the only one to be a founding member of Ontario Agri-Food Technologies. After convincing the province to transfer all agricultural research facilities from the Ontario Realty Corp. to the Agricultural Research Institute of Ontario, I was asked by the Minister of Agriculture to chair the institute. As chair, I led the development of a new priority-setting process for agricultural research and a new funding matrix for public-private research partnerships.

We now have the ability to address research needs more practically and have a model that also encourages development of future opportunities as opposed to targeting all of the funding toward addressing "what ate my crop last year" type research. The Elora dairy research facility is one of the outcomes of this model.

To varying degrees, the processes I've used have always been the same: develop a good governance model, spin off ancillary operations, demonstrate a return on investment to the members and develop a vision for the future. It's been a great experience to be involved in so many undertakings over the years, but, in the process, unfortunately, I've had to deal with every situation imaginable.

When the Conference Board of Canada was told to audit the program delivery of the Agricultural Adaptation Council when I was chairman, we matched or outscored every other federal program we were benchmarked against on every criterion measured. In that year's Auditor General's report, we were identified as the model by which other federal government programs should be

run. Similarly, I was pleased last weekend when an auditor told the AGM of the Asparagus Farmers of Ontario that he deals with a lot of agricultural organizations and now considers the asparagus board to be a model of governance, oversight and operating efficiency. That's a big step up in credibility from not too many years ago when a past president addressed the annual meeting wearing only a red G-string and socks.

I'm excited about Agricorp because it presents a new challenge. We must deliver effective programs efficiently and reduce red tape. I think my experience in product development and marketing and my success in networking to reduce duplication combined with my understanding of the agricultural industry will be a real asset in helping meet this challenge. With your support, I look forward to beginning this new journey. Thank you for your time and attention, and I do thank you for your public service.

The Chair (Mr. John Fraser): Thank you very much, Mr. Porteous. Mr. Gates.

Mr. Wayne Gates: Mr. Murray, how are you this morning?

Mr. Murray Porteous: Very good.

Mr. Wayne Gates: Good. I'll just give you a hint on what I have down in my riding. I'm from the Niagara Falls riding, which includes Niagara-on-the-Lake, and we obviously have a lot of tree fruit and stuff in my riding.

I will address the daughters part. My daughter went to Brock this year. I'm going to drop your name to her and say that she should be paying for her university. I think that might become a win-win for dad and mom, but I'm not so sure how that works out.

If you happen to have the opportunity to speak in front of anybody once you're appointed, I think we'll all agree that a suit with or without a tie would be okay with us. We'll have no problem with that.

The farming industry is an incredibly important part of the economy for rural and northern Ontarians. What will you do to help grow the industry and assure Ontarians who rely on it that it can continue to prosper?

Mr. Murray Porteous: The business of Agricorp is predominantly mitigating risk for farmers. Right now; about 72 crops are covered by crop insurance programs, but in the province we probably have 150 or so commodities. To develop a new program for every crop would be very onerous and very bureaucratic. It would take a lot of manpower and a lot of money to do that. I believe in simple programs, the simpler the better. They're easier to administer. They can be applied more broadly to different commodities. It improves efficiency, reduces costs and reduces costs to the farmer. The less red tape and the less cost the farmers have to deal with, the more competitive they can be.

I think that that's the first step. Agricorp traditionally has used crop insurance models that are based on six-year rolling averages of production measured in bushels per acre. That's not the future for our industry. The future is going to be not so much bushels per acre, where we're competing with everybody in the world to try and drive

down our costs of production to be more efficient and compete in the market, but to be more specialized in producing things that the consumers can't get somewhere else. That might be in grams per hectare or parts per million, whichever way you want to talk about it. But the programs of the past won't mitigate risk for producers in those types of situations. We have to be able to adapt and develop new programs efficiently and be accountable to the public in delivering them.

0930

Mr. Wayne Gates: Okay; I appreciate that. The other thing—I'm not sure it's a question, but I'll throw it out to you. Something that seems to be working really well down in our area is promoting local. I think that that's one way that we can compete on taste and quality and that type of stuff. I don't know if you have any comment on that.

Mr. Murray Porteous: I agree.

Mr. Wayne Gates: That was a big comment. Yes, I appreciate that. That tied up a lot of my time.

Here's what I think is a very important question—I'm sure you'll have a lot to say on this because I think it's extremely important for all of us: What, if any, action would you encourage farmers to take to mitigate against the potential negative effects of extreme weather caused by climate change? I think it's one of our biggest threats, quite frankly.

Mr. Murray Porteous: Yes. My mind is not made up on climate change—whether this is real or whether it's cyclical. If you look back to the 15th century in France, they were wearing mink-lined underwear. France isn't that cold a climate. I'm not sure if there were other benefits that were driving that or if it was really cold.

Dealing with extreme weather, though, is a reality. We had peaches that we planted when the CanGro plant was established and they wanted peaches for processing in the province. We got one crop off of that and then the CanGro plant closed and pulled out of the province.

We removed that orchard and replaced it with fresh market peaches. We managed to get a crop of fresh market peaches. We did quite well with it. In 2012, we were wiped out. In 2013, we started to rebound a little bit. In 2014, we had some crop. In 2015, we lost the entire orchard. If it wasn't for programs like crop insurance, that would have dealt us a huge blow. On any new venture in our farm, I don't go into with more than 5% of our production, but, still, it was a big hit, especially with the reinvestment there.

I think that to help offset those risks, we need to look at technologies that can help mitigate weather challenges. In Niagara, a lot of wind machines have gone up, for example. In our area, they're starting to go up as well. There's good and bad with all technologies, but they certainly reduce the risk of crop loss.

I think that the government, through its agencies and its policies, needs to encourage farmers to take steps to mitigate those risks, rather than just relying on crop insurance programs to offset the losses to move forward.

Mr. Wayne Gates: Just on CanGro: It was in Niagara-on-the-Lake. It was before I became an MPP. I

can tell you that I did everything that I could, along with a lot of other people, to make sure that never closed. It should never have closed. It closed with what they said was a net benefit to Canada. All these years later, I still haven't figured out what the net benefit to Canada was.

What they did there—you're probably aware of this or maybe you're not aware of this. Once they closed, the federal government paid, I think, \$26 million or \$27 million to the farmers to rip up the fruit trees. Two weeks ago, I was at an announcement that we're planting those same fruit trees through the greenbelt at a cost of, I think, \$400 million, off the top of my head—the figure might be out by a bit—to plant those trees all over again. The CanGro one was, in my eyes, an extremely sad thing to have happen.

The other thing, very similar to my “local” question: What do you think the organization could do to support Ontario producers? Because I think that that's a key question here and, probably, a key role for you as the chair on a go-forward basis, so that our family farms can continue not only for a few years but forever. If we can't feed ourselves, we're in big trouble.

Mr. Murray Porteous: My farm is a fairly large fruit and asparagus farm by Canadian standards, but I don't think what we deal with is atypical of farming. In my case, it probably costs me about \$50,000 a year to collect data and redistribute it for people who are asking for numbers. None of that money benefits me as a producer; I'm just complying with all kinds of things that I've got to deal with.

If we're going to help farmers, I think we have to deliver programs that provide real benefit but don't get in the way and end up costing more than they give in benefit. As I said before, I believe in simple programs that are cost-effective and effective and reduce red tape. I think that's key in helping the Ontario economy.

The other thing that I think is important is, when people are trying new ventures, you have to have some kind of model to help them mitigate risk. If all of your production insurance is based on historical yield and you're trying a crop that has never been tried before, you're taking a double risk because you have no backstop from the government to help with that. The challenge will be to develop programs that look forward and help to diversify and be innovative in our agricultural economy.

Mr. Wayne Gates: I'll just say that I agree that some of the things—I just spent an hour with the colleges, and they were saying the same thing as you are: that there's nothing wrong with putting programs in place, but make sure there's a net benefit and they're not just tying up time. Time costs money.

I appreciate talking to you, and I wish you the best.

Mr. Murray Porteous: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you. Murray: good to see you. It's good of you to be here, and thank you for taking the initiative to apply for this position. It's an important position.

Mr. Murray Porteous: Thank you.

Mr. Lou Rinaldi: As I was going through your resumé, I couldn't figure out whether you were going to be 100 or 150 years old to accomplish all of these things. You look pretty good for being around for a long time.

Mr. Murray Porteous: A hundred and fifty with the wind chill.

Mr. Lou Rinaldi: First of all, thank you for all of your involvement up to now on all of the things you did to elevate agriculture to where it is. We always need to do more. We're never finished there.

I guess the question that I would have—I think it's a simple one: When I look at all of the different agencies you've been involved with, and your successes, what sets Agricorp apart from the others that you're keen to get involved in?

Mr. Murray Porteous: Thank you very much for that question. I've been involved in some major fixes on organizations from a governance standpoint and so on. For three of them, I spent at least 100 days away from my business in a year. When I say 100 days, that's not 100 10-hour days; those are 100 meeting days. My total hours would range between 2,000 and 2,500 hours in a year doing a major restructuring and renovation on some organizations. I'm really glad Agricorp is not in that position.

Agricorp has a staff of approximately 405 people, about \$3 billion in liabilities to offset crop insurance; it has a very professional board of directors with a lot of insight. I don't know all of them but I know most of them, and what I've seen on paper—so we'll see from there. And it has good programs that work pretty well. When you look at the assessments from the industry, Agricorp has scored generally quite well in terms of satisfaction with program delivery. Those things don't need to be addressed. That's a lot of heavy lifting and a lot of time-wasting when you're trying to move things forward. What I'm excited about is that they're in a position to move forward and develop, modernize and become more efficient in program delivery, reduce red tape and provide real benefit to the industry. To me, that's what's attractive to the job.

Mr. Lou Rinaldi: Thank you. Thanks, Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Mr. Barrett.

Mr. Toby Barrett: Thank you, Chair. I actually just came down to see if Murray had found the room okay or not, but I do have to jump in. He made mention of the fact that many, many years ago I worked for the family. It brings to mind that expression—it was a summer job, and I was going to the Ontario Agricultural College. I was just there in the summer, and like they say, “Summer help and some aren't.”

I just want to thank you for coming forward. I'm the agriculture critic for the opposition. Agricorp is a very important organization and I think it is important to continue to improve that organization. With a new board member and a new chair, I think it would be incumbent on you to shine a spotlight on that organization to make

sure it is in a better position to serve our farmers and those of us who eat food, for that matter.

0940

Just in closing, you have the resumé, and I can attest that the Porteous family have been very heavily involved in farm organizations. They also run a first-rate series of farm operations. They were in dairy when I worked there, and went on into fruit and vegetables, and dominate the cherry industry.

One last thing I'll mention. We probably don't get political, but it just happened on Sunday that Ken Porteous, who is Murray's father—both of us, along with former Liberal ag minister Jack Riddell, attended a celebration, the 40th anniversary of the election of former Liberal MPP Gord Miller, who represented our area for a number of years—a friend of Sean Conway and Monte Kwinter and some of those.

I won't bud in with many questions, so I'll turn it over to—

The Chair (Mr. John Fraser): Thanks very much, Mr. Barrett. Mr. Pettapiece?

Mr. Randy Pettapiece: We have similar backgrounds. My dad had a dairy farm. I was raised in Essex county. Then we went into the fruit business. We had peaches and pears and enough cherry trees to keep the birds fed.

Mr. Murray Porteous: That's quite a lot of cherry trees.

Mr. Randy Pettapiece: Yes. Then we moved up north to Stratford and went back to the dairy business, so we kind of went back the other way. So I do know something about the fruit and vegetable business. It can be very rewarding; it can be very unrewarding too. We went through frosts and whatever that we had years ago, and certainly it's quite devastating when things like that happen.

I want to get your thoughts on the new Bee Mortality Production Insurance Plan.

Mr. Murray Porteous: I haven't looked at the details of that plan yet. I understand it's a new plan that's come out. Part of the challenge of this whole process—I was approached about a year ago to see if I would submit an application as chair of Agricorp. The hope was that when the previous chair's term expired in May, they would have succession and fit right into that role. For whatever reason, the delays have pushed us back to here. So I'm missing that continuity and experience and wasn't involved in the strategic planning process that occurred in June. I have some catching up to do.

On the whole question of bees, there's obviously been a lot of concern about the bee situation in Ontario, whether it's pesticide use or whatever. On our farm, last year I ordered 50% more hives than I would normally rent for this spring because I knew that we would have high mortality in bees over the winter. They were predicting a really cold winter. Bees have to generate enough heat to survive in the middle of the hive.

Since this whole mortality situation started, the bee-keeping industry has been moving a lot of hives to New

Brunswick and then bringing them back. They didn't put up a lot of honey last year for their own survival through the winter, so where producers didn't feed those bees strong, they had severe losses.

There's a whole lot of questions around that. I think it would be very interesting to see what that model entails and how they mitigate the risks for the producer, because there's a whole lot of factors involved there.

Mr. Randy Pettapiece: It's something we're not going to get into here, but there are a lot of things—I know that up our way, bees have actually had a pretty good year, but the producers were feeding them through the wintertime because of the severe weather we had.

Agricorp had an issue a few years ago when about 4,500 farmers were overpaid. That certainly ended up in the courts. I'm interested in your thoughts about red tape and the excessive use, I think, of permits. Every time a farmer turns around, he's got to fill out a new form. It seems that way, anyways.

Do you have some insight as to how you'd want to improve the processes with Agricorp to kind of cut some of this stuff down?

Mr. Murray Porteous: One of the things I want to look at is that any time you develop a major program that requires the use of a lot of data, you have a dedicated computer system for it. Computers, from talking to people in the computer business—they tell me that computers aren't made to work in series; they're made to work alone. They don't work very efficiently together when you've got a whole lot of them working on something.

When you develop a set of computers to handle the task of doing the data work on a program and then you introduce the next program that may use some of that same background data, then you're getting into silos of technology because you've got something that was developed three years ago, you're adding something now and you're adding something a couple of years later, and those platform technologies aren't going to work very well together.

I'm interested in exploring ways to make that technology work better and cut down on duplication and having to redo inputting data and so on. Every time you input data you create an opportunity for an error, and the more we can do that links programs and systems, the more efficient we are and the fewer mistakes get made.

The other thing to look at is that Agricorp works a lot with the commodity council, which I used to chair, and the adaptation council as well. With the commodity council, it's to gather input from producers on programming and delivery; with the adaptation council, it's to share best practices on crunching data, programs that come and so on. I think that in working back and forth with other similar organizations that have similar needs, we can cut down on the amount of duplication.

Mr. Randy Pettapiece: I think that's part of the thing. One of the complaints I get, especially from people in the fertilizer and chemical business and farmers, is that it seems that we are duplicating things. I know that you

can—I think this is true—spray a certain herbicide on your hayfields but you can't use it on your lawn. You have to have a different permit to do that. When we were out on the farm, legally I couldn't move over a little bit and get the dandelions on my lawn. I didn't have a permit to do that, and that's silly. So there are things like that that certainly could be looked at.

Do you see any improvements, just off the top of your head right now since you've been looking at this position, that would help producers better manage their risk?

Mr. Murray Porteous: Improvements to—

Mr. Randy Pettapiece: To the system, to Agricorp.

Mr. Murray Porteous: As I talked about, developing new programming for emerging crops and looking beyond producing commodities but really producing components from crops, and how do we mitigate the risk of going into those types of ventures: I think Agricorp can definitely play a role there.

The Chair (Mr. John Fraser): About a minute left.

Mr. Randy Pettapiece: A minute? Okay. I think you pretty much answered my next question. It was, "In what direction do you see Agricorp moving to?" You've just mentioned that that's something that hasn't been addressed, I guess, in the past. I think I'm done. Thanks, Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Mr. Porteous, thank you very much for being here this morning and presenting to us. You may step down now. We'll consider the concurrence just at the end of the meeting. You're welcome to stay. Thanks again.

We will now consider the concurrences. Our first concurrence is for Gita Anand, nominated as member and vice-chair, Ontario Labour Relations Board. Could someone please move the concurrence? Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Chair. I move concurrence in the intended appointment of Gita Anand, nominated as vice-chair, Ontario Labour Relations Board. Sorry if I didn't pronounce your name right.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? Motion is carried.

Our next concurrence is for Murray Porteous, nominated as chair, Agricorp. Can someone please move the concurrence? Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Murray Porteous, nominated as chair, Agricorp.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? Motion carried.

Congratulations, Ms. Anand and Mr. Porteous. Thank you very much again for being here this morning.

We now have a couple of deadline extensions to consider. The first is for Marie Biron, nominated as vice-chair, Champlain Local Health Integration Network—her certificate expires on November 22; and Kevin Costante, nominated as member of the Ontario Pension Board, whose deadline expires on November 22 as well.

Do I have unanimous consent to move those dates to December 22? Thank you very much. So done. Meeting adjourned.

The committee adjourned at 0950.

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Legislative Assembly of Ontario

First Session, 41st Parliament

Assemblée législative de l'Ontario

Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 24 November 2015

Journal des débats (Hansard)

Mardi 24 novembre 2015

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 24 November 2015

Mardi 24 novembre 2015

*The committee met at 0900 in committee room 1.*WITHDRAWAL OF INTENDED
APPOINTMENTS

The Chair (Mr. John Fraser): Good Tuesday morning. Welcome back again this week.

We have one intended appointee this morning. I would like to advise the committee that the nomination of the following intended appointee, who had been selected to appear before us at the committee today, has been withdrawn: Bahareh Hosseini, nominated as member of the council of the College of Massage Therapists of Ontario. Therefore, her nomination will not be considered by the committee. Thank you very much.

INTENDED APPOINTMENTS
DR. BRUCE KRUSHELNICKI

Review of intended appointment, selected by official opposition party: Bruce Krushelnicki, intended appointee as executive chair, Environment and Land Tribunals Ontario, and member, Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal and Ontario Municipal Board.

The Chair (Mr. John Fraser): Our first intended appointee is Bruce Krushelnicki. Mr. Krushelnicki, can you please come forward?

Thank you very much for being here this morning. You'll have the opportunity to make a brief opening statement. Any time that you use for your statement will be taken from the government's time for questioning. You'll be asked questions by members of all three parties, and the questioning will begin with the government.

You may proceed.

Dr. Bruce Krushelnicki: Thank you, Mr. Chairman. Members of the committee, good morning. My name is Bruce Krushelnicki and I'm here as the nominee for the position of executive chair of the Environment and Land Tribunals Ontario, otherwise known as ELTO. I'd like to thank you for the opportunity to come before you this morning to introduce myself and to answer any questions you may have about my qualifications or my vision for the boards that make up ELTO.

As the name would suggest, ELTO is an organization representing five administrative tribunals established to coordinate the adjudication and mediation surrounding land use and environmental decisions in the province of Ontario. This is precisely what I've devoted my career to over the last 40 years.

My education began with a degree in urban and environmental studies at Brock University in St. Catharines. I followed this with a master's degree in urban and regional planning at Queen's University and later a PhD in planning from the faculty of environmental studies at the University of Waterloo.

My first job in 1978-79 was as an intern in the House of Commons in Ottawa, a program similar to the internship program that you have in this Legislature, I believe. Following this, I was hired by Brock University to teach in the urban and environmental studies institute, the department where I started as a student. I began as an assistant professor, progressing to associate professor with tenure and eventually becoming the academic director of the institute in 1988.

I taught at university for 12 years before being appointed to the Ontario Municipal Board as a full-time member in 1991. I was an OMB member for nearly 13 years, conducting what I estimate to be 1,000 hearings and mediations throughout the province in all areas of the board's jurisdiction.

I take great pride in the body of work that I completed over that time and remember fondly my travels to communities throughout the province, conducting hearings and settling municipal land use and environmental disputes of all kinds.

Before leaving the board, I wrote a book on the OMB published by the legal publisher LexisNexis. This book is designed for students, citizens and others who want to know more about the board and about administrative tribunals generally so that they can effectively participate in hearings and mediations in their communities.

In 2004, I left the board and took the position of planning director for the city of Burlington in Ontario. I started with a planning group of about 25 professional and administrative staff, but my directions were to create a one-window service for planning, building, development and a number of other services. By 2009, I had been given development engineering, Ontario building code building review, building inspections, bylaw enforce-

ment, licensing and, for reasons that I won't go into, animal control.

When I retired in 2015 after 11 years as director of planning and building, I led a high-performance department of 85 experienced professionals, administrators and technical staff, offering a single point of entry for customers seeking all development, building and related services. The department had a budget of over \$10 million, more than \$6 million of which was recovered by service fees. I retired from the city of Burlington in May of this year.

Most people count themselves lucky to have had one good career. I take great pride in the fact that I've been the beneficiary of a fine Ontario professional education which has led to three great careers: teaching at the university level, adjudication and mediation in the farthest corners of the province of Ontario, and leading and managing a large, highly productive, professional enterprise for a successful mid-sized Ontario city.

It is the sum of all this that I bring to the position of executive chair of ELTO, an organization comprising 80 to 90 adjudicators and mediators and 75 administrative and professional staff with a budget of about \$17 million to \$18 million.

I believe strongly that the five boards that make up ELTO provide a vital service to the people of Ontario, providing independent oversight and appeal of decisions made in local communities. I see the boards adding value to planning and environmental management by providing opportunities for people to participate meaningfully and hold those who make land-related and environmental decisions accountable in a transparent forum. I see the boards continuing to travel to communities throughout the province, in the localities where the issues are generated, where people in those communities seek sober second review of local decisions.

I see an integrated cluster of boards populated by a small number of highly competent, well-trained, merit-based appointees who simply and honestly listen to all sides of an issue and then make prompt decisions informed by the evidence and led by the public interest. I see this done by an efficient organization with modest but effective public resources.

At its simplest, administrative justice is this: When a decision has been taken—whether or not the decision has been favourable—it can be said, “I was listened to. I have been heard. I have had my day in court. I have been treated fairly and I was able to participate meaningfully.” This is fairness and due process at its simplest and its best, and it is the service that the boards of ELTO, when they are performing at their very best, provide to the people of Ontario.

I am honoured to be considered for the executive chair of ELTO. Thank you for this opportunity to speak to you this morning. I would be happy to take any questions.

The Chair (Mr. John Fraser): Thank you very much, Dr. Krushelnicki. Ms. Hoggarth?

Ms. Ann Hoggarth: Good morning, Dr. Krushelnicki. Thank you very much for putting your name forward.

You bring a very diverse and impressive resume with you, including the animal control.

Dr. Bruce Krushelnicki: Thank you.

Ms. Ann Hoggarth: I hope you don't have to use it in this job.

You wrote a book called *A Practical Guide to the Ontario Municipal Board*. Could you tell us about that and what you learned about the OMB, please?

Dr. Bruce Krushelnicki: Well, I always used to say, “The best way to teach something is to write about it. The best way to learn about it is to write about it and teach it.” It was an opportunity to fulfill a need that I thought existed in the province. That was to provide people with more transparency and understanding about how the Ontario Municipal Board and administrative tribunals generally work, because I think there was always a mystique about it. There was kind of a veil that people could not penetrate. Often, people coming to a room like this, with elected officials or with appointed members, were intimidated by the fact that they didn't know what was going to go on.

My point in writing the book was to satisfy that need. I think I learned that there was a great need for it, that there were people who hungered for that sort of information so that they could participate more meaningfully and not be intimidated. The book has been successful from that standpoint. It has also been successful for students. I understand that even a few lawyers have read it. It has served its purpose in providing the information about the OMB that had not existed previously. It was the first book of its kind, really, after almost 100 years of the OMB's existence.

Ms. Ann Hoggarth: That's amazing. The other question that I wanted to ask—this job has a lot to do with management. There are five boards with appointees on each in this group. Could you tell us a bit more about your managerial experience that could help you when managing appointees across the five boards?

Dr. Bruce Krushelnicki: Thanks; good question. The most obvious management experience I've had was running the planning and building department in the city of Burlington. Burlington's not a huge city, but it has its fair share of complicated issues and lots of public engagement and so forth. Managing that situation was very interesting. It's a prosperous city and it has a lot of growth to manage. Happily, when I arrived, it had—and it got even better—a well-trained staff, a very dedicated staff, a very engaged staff.

The management experience that I gained there was how to install a process of continuous improvement to an agency that was already well engaged in a city that was already doing pretty well, and Burlington does do well. I was happy to be able to participate and contribute to that.

The other side of management, however, is not just doing the budget, doing the HR, all those sorts of things; it's knowing the business.

0910

I'm a strong believer that somebody who runs an organization should know what the organization does,

and to be a true leader you don't have to be the best person at that job, but you have to know what the folks who are doing it are doing, and they have to have the confidence in you to know that you could do it if you had to.

As a manager in a planning department, I felt I had to lead and be the lead planner. I was the chief planner for the city of Burlington, and it worked out well. It's true also of these boards. I was a member of the OMB for 13 years. While I was on the OMB, the OMB had jurisdiction for what the Assessment Review Board does, so I know what the Assessment Review Board does. As an OMB member, I sat on joint boards—consolidated hearings, they're called, with the ERT, Environmental Review Tribunal, so I know what that board does. I know what the Conservation Review Board does because we work with them commonly in municipalities.

So I know the business. I know how to run an organization. I've developed budgets. I've had to hire and fire people—both sides of that. I know what I'm headed for.

The Chair (Mr. John Fraser): Mr. Bailey.

Mr. Robert Bailey: Dr. Krushelnicki, thank you for coming in. I've got a cough today, I think like everybody else.

Dr. Bruce Krushelnicki: Just hearing you makes me want to pour some water.

Mr. Robert Bailey: Yes, have a drink while I'm straightening up here.

In the past, the OMB has been the subject of a great deal of criticism. How would you see room for improvement to change that perception? I know you touched on it with the government side just a minute ago, but could you expand upon that—how to improve the image of the OMB? Some people really feel that it's not that remote "They're from Toronto, down here to tell us how to do things" feeling.

Dr. Bruce Krushelnicki: There are lots of different types of criticism. I don't think you want me to deal with the criticism that simply says, "I didn't like the decision they made, so I don't like them."

Mr. Robert Bailey: No.

Dr. Bruce Krushelnicki: That's not the criticism we're looking at.

I think there are two main criticisms. One is that it can be a complicated, intimidating legal process, and people don't feel comfortable there, and it's somebody, as you say, coming from out of town, telling them what they should do. Can you resolve that problem? Not completely, if you maintain the model that the OMB has.

I think the other way to look at that is to say, in one or two very, very important, key issues in a community, you have the opportunity to bring in a person from outside, who is unrelated to the elected officials or the administrators locally, who's not paid by that particular government, who can come in independently with a fair mind and say, "You tell me your side of the story, you tell me your side of the story, and I'll do the best I can for you to help you make a decision here. If you want, you can settle this by mediation and make your own decision, but

if you can't, I'll make it for you." If that explanation works, and if people understand that that's what the board does when it's at its best, I think that can go some distance in allaying that criticism.

The other criticisms, which are that it takes too long, that it costs too much, that it's unfair because the developer has all the money and they have none—the asymmetry of representation, if I can put it that way, before the board is a difficult thing to deal with. That's about hearing management, and that's where we can have a much more effective role as hearing officers and as managers of hearing officers. I think we have to become much more activist as hearing officers: not just sitting back and letting a hearing take what it takes, but making sure the hearing happens in an expeditious way, making sure that decisions are issued promptly, making sure that people who are unrepresented are given the benefit of the doubt in a sense—not being unfair, but offering them opportunities for explanation, because they don't have legal representation; giving them what they don't have, which is the opportunity to defend their position and put it in its very best light before the board.

So there are things we can do through management.

The other side of it is, if you don't like the adversarial process—because the OMB and some of the other adjudicative boards use an adversarial process—I think we can offer them the service of mediation and do that well also. The adjudicative sector has been doing this for some time. It has been developing it, but there's a lot more room for mediation and other forms of facilitation.

Mr. Robert Bailey: The other question I might ask before I move to Mr. Pettapiece is, with the five different tribunals making up Environmental and Land Tribunals Ontario etc., how do you see balancing your time to oversee all five of them?

Dr. Bruce Krushelnicki: Well, the boards aren't equal. There are some big ones. There are some that are very busy. The OMB is not the largest but certainly has a huge and controversial caseload. The ARB has a very large caseload of smaller cases, so it's more of a production line. The CRB has five or seven cases a year. The Board of Negotiation: It's not even an adjudicative board; it's a mediation service. Each of them is different.

I think of it this way, just to put it as simply as possible: Each of my kids is different, but you give them all the same amount of time and attention that they need so that they can do the best job they can. But they are different, and they're going to be dealt with differently. There are some that are going to give you the larger problems and there are some that are a little bit easier to manage, and that will change over time as well.

So it's paying attention, as a good manager does. As anyone who has to run an organization and facilitate change and manage people—you just pay attention to what needs the attention. Sometimes it'll be one board and sometimes it'll be another. That's how you devote your time.

Mr. Robert Bailey: Okay; thank you.

The Chair (Mr. John Fraser): Thank you very much. Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you, Chair. Good morning.

Dr. Bruce Krushelnicki: Good morning.

Mr. Randy Pettapiece: You no longer work for the city of Burlington. Is that—

Dr. Bruce Krushelnicki: I do not; I retired in May of this year.

Mr. Randy Pettapiece: You retired?

Dr. Bruce Krushelnicki: I did.

Mr. Randy Pettapiece: Okay. I understand that you've worked for Metrolinx in the past.

Dr. Bruce Krushelnicki: I did. It amounted to a secondment. In 2007, I was approached by the person who had been appointed as chair. He happened to be the mayor who recruited me to Burlington: Rob MacIsaac. He said, "I'd like you to come to Metrolinx to help us with the land planning side of things," because the key to making good transit work is to ensure that transit and land use line up well. So he wanted a land use planner, and I said I'd be happy to do that. I went there and worked for four months, and then at one point I decided that I would go back to Burlington.

Mr. Randy Pettapiece: I see. So you decided at the end of four months to leave Metrolinx.

Dr. Bruce Krushelnicki: That's right. I was working, actually, for Metrolinx and the provincial government through the—it was then Infrastructure Ontario, the Ontario Growth Secretariat. They were the people who were developing the policy known as the growth plan. My job was to make sure that the growth plan policies and Metrolinx's development policies were well connected. So I got that going, in a sense, and then ended the secondment.

Mr. Randy Pettapiece: So in four months, you were able to accomplish what you just said?

Dr. Bruce Krushelnicki: No. No, I didn't completely accomplish it.

Mr. Randy Pettapiece: So your reason for leaving was that you just didn't want the job anymore, or what was the reason there?

Dr. Bruce Krushelnicki: To put it simply, what I said to the chair at the time: "This isn't working out exactly as we thought it would, so I think the best thing is for"—and I didn't leave under any bad feelings or anything like that. It just didn't work out. So I went back to Burlington, and they were happy to have me back.

Mr. Randy Pettapiece: May I ask what didn't work out?

Dr. Bruce Krushelnicki: Any time you move to a job or from a job, there's a combination of personal and professional reasons. The professional reasons are the ones I'll talk about. It was that the work wasn't exactly what I thought it would be. I don't think we had as clearly defined it as we should have before it started. If we'd spent a little more time on that, it might have been better. So it didn't work out professionally in exactly the way I wanted it to. and I didn't feel as productive or as useful as I thought I could be. No fault to anybody; as I say, I just don't think we'd thought it out and defined it

as carefully as we could have at the outset. So the happy resolution was—and as I say, it was a happy one; we're still friends. Rob MacIsaac said, "Okay, I understand," and the city of Burlington said, "We're happy to have you back; we haven't recruited your replacement yet." I was lucky about that, and I went back to the job I had. So it amounted to a secondment.

Mr. Randy Pettapiece: Okay. What part of the job description wasn't suited to what you thought your ability was?

Dr. Bruce Krushelnicki: That's the point: There wasn't a really well-defined job description for it. People used to ask me what I was doing because I had an office at the growth secretariat and I also had an office at Metrolinx. I used to say that my job was to ensure that Metrolinx and the growth secretariat were communicating with one another about land use policy and transit development. Working between two organizations like that is a challenge to begin with, and it requires that you do have a well-defined job description and basis for performance review and that sort of thing. It just did not develop in the way that we had hoped. It was an experiment that didn't quite work out as well as we thought it would.

Mr. Randy Pettapiece: I see.

0920

The Chair (Mr. John Fraser): A little over a minute, Mr. Pettapiece.

Mr. Randy Pettapiece: Okay. Did you apply for the position of executive chair for this committee?

Dr. Bruce Krushelnicki: Yes, I did.

Mr. Randy Pettapiece: You applied for it?

Dr. Bruce Krushelnicki: Yes.

Mr. Randy Pettapiece: So were you contacted by anybody in government that this was open?

Dr. Bruce Krushelnicki: No, I wasn't—not initially, no.

Mr. Randy Pettapiece: Did somebody else contact you to discuss this position at all?

Dr. Bruce Krushelnicki: Yes, a professional recruiter contacted me.

Mr. Randy Pettapiece: A professional recruiter?

Dr. Bruce Krushelnicki: Yes.

Mr. Randy Pettapiece: Do you know who they work for?

Dr. Bruce Krushelnicki: Yes, it's Patrick Rowan, whom I had actually used as a recruiter some 10 years ago to help me find a manager at the time. He works for Feldman Daxon Partners Inc.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Good morning, Mr. Gates.

Mr. Wayne Gates: How are you today?

The Chair (Mr. John Fraser): I'm fine; how are you?

Mr. Wayne Gates: Any better and I'd be you.

Good morning, Bruce. How are you doing?

Dr. Bruce Krushelnicki: I'm very well, Mr. Gates. How are you?

Mr. Wayne Gates: I'm good. A couple of things: You went to Brock?

Dr. Bruce Krushelnicki: I did.

Mr. Wayne Gates: My daughter is going to Brock.

Dr. Bruce Krushelnicki: It's a good school.

Mr. Wayne Gates: I don't know if you know, but I'm from St. Catharines. I was raised and grew up in St. Catharines, Port Dalhousie, which you're probably familiar with.

Dr. Bruce Krushelnicki: I am.

Mr. Wayne Gates: So I know a little bit about our area.

You said you worked as an intern.

Dr. Bruce Krushelnicki: For the House of Commons, yes, I did. It was my first job when I graduated.

Mr. Wayne Gates: Did they pay you?

Dr. Bruce Krushelnicki: The internship program? The internship program was funded, in those days—I think it still is—by private corporate funding. I think it was the life insurance association of Canada or something like that.

Mr. Wayne Gates: It's an issue with us. We think that interns should be paid.

Dr. Bruce Krushelnicki: Yes, I agree. I actually ran an internship program when I first started at Brock University. I started the internship program for the Institute of Urban and Environmental Studies, and I insisted that the students be paid at the time. I thought that was a fair way to ensure that students understood the workplace, and professional responsibility.

Mr. Wayne Gates: They still have to pay for stuff while they're at school as well.

Dr. Bruce Krushelnicki: That's true.

Mr. Wayne Gates: You did a book on the OMB.

Dr. Bruce Krushelnicki: I did.

Mr. Wayne Gates: My office is 361, if you want to send me one, and autograph it for me. It would be good, so that I could read it. We have lots of issues with the OMB in our office.

I have a few questions here that I'll read off. One is extremely long, and the other ones aren't.

Dr. Bruce Krushelnicki: Sure.

Mr. Wayne Gates: As an MPP for Niagara Falls, the decisions of the Environmental Review Tribunal particularly concern me, as it functions as the hearing officer for development permit appeals on the Niagara Escarpment. In that role, do you believe it is more important for you to be preserving the environment and heritage of the region or to be allowing developers to build on the land? It's a big issue in Niagara, as you know.

Dr. Bruce Krushelnicki: It is. It's a big issue all along the escarpment. You're right: The Environmental Review Tribunal is the appeal-hearing officer of the Niagara Escarpment Commission by delegation.

The Niagara Escarpment Plan is the plan that is used to govern development approvals in the escarpment area. I'm saying that—and I'm sure you know it—to remind people that decisions by administrative tribunals—whether it's the ERT, the OMB or the others—are not,

“Flip a coin and let's see what it says”; they are evidence-based and they are policy-based. The ERT or the OMB, when it's making a decision, hears the evidence that's presented to it in a hearing in a public forum and then applies that evidence to the policies before it.

The policies of environmental protection and environmental management are not ones that are made up by the ERT or by the OMB or by the other tribunals. They exist as a result of a cabinet-approved plan, which is what the Niagara Escarpment Plan is, or an official plan of a municipality, or the Ontario provincial policy statement. Taking the evidence and applying those policies is the way that such decisions are taken. If you want better environmental management or stricter environmental management, you change the policies. The board applies the policies.

It's really that, in the same way that a court applies the law, administrative tribunals apply the policies. So the strength of those policies is what's really important in determining the degree of environmental management. For the Niagara Escarpment, as I said, it's their plan.

Mr. Wayne Gates: One thing that you did touch on—you talked a little bit about mediation, and obviously you have some experience around that. I sat on city council in Niagara Falls. When a citizen actually goes to the OMB and they are unrepresented, it's extremely tough for them to win. The developers, whether you'd like to admit it or not, or you will admit it, do have a little more money, better lawyers and understand the policies a little better, so sometimes it's a real challenge for unrepresented residents to go to the OMB and win. Maybe give me a little bit about the mediation process and all that type of stuff.

Dr. Bruce Krushelnicki: Mediation is certainly a good alternative to the adversarial process. The adversarial process is an arena in which—you know the metaphor—the gladiators fight it out. When you have well-resourced developers who can afford not only lawyers but experts as well to interpret the policies for the tribunal, there can be what appears to be an internal or inherent unfairness.

There are two ways of dealing with that. One is to try to overcome that by allowing citizens the resources to be properly represented or have access to experts. The other is mediation. Mediation means that the tribunal is not acting as a court and fighting with gladiators, but rather facilitating a discussion which can lead to a homemade outcome, an outcome made in the community. So I think it's preferred for that sort of thing.

There are a lot of citizens who come before the board saying, “I'm going to go to the board and I'm going to win.” Then they realize what it is when they get there and, boy, mediation is a great alternative once you find out just how nerve-racking the board can be.

Mr. Wayne Gates: Do you have an idea what the settlement is at mediation with unrepresented citizens across the province?

Dr. Bruce Krushelnicki: I'm sorry. How do you mean that?

Mr. Wayne Gates: Well, I mean you go to mediation. There's 100 people who go. Are 80% being mediated so that they don't have to go on to fight developers? What would be your idea—

Dr. Bruce Krushelnicki: I don't know what the statistics are. Mediation is increasing. Certainly, it's increasing as an opportunity. The first thing a good board member will do when he or she starts a hearing is to say, "Has mediation taken place? Have you folks had a chance to discuss this?" And you can settle any time up to the point when a decision is made, just as it is with the labour board and other boards, so there's plenty of opportunity. All the boards, especially the Board of Negotiation, which is a mediation board—that's all it does—offer mediation and prefer it because it results in a decision that's voluntarily acceptable to the parties who have created the dispute.

So the opportunity is there. The numbers are increasing, and I think everybody is in favour of more mediation. The problem is that sometimes, if you have a minor variance hearing, which is one of the hearings that the OMB does, for instance, you can deal with that in half a day. There are no lawyers involved; it's just one neighbour discussing it with another neighbour. You can solve that in half a day and they walk away saying, "Okay, I had my day in court." Why spend three days trying to mediate two neighbours who aren't getting along?

Sometimes mediation isn't always the preferred route, but for some of these big, expensive hearings with a lot of lawyers and a lot of experts where, as I say, the sides aren't symmetrical—you've got the Davids and the Goliaths—mediation is a preferred alternative, really.

Mr. Wayne Gates: I'm surprised that you said that neighbours don't get along.

Laughter.

Dr. Bruce Krushelnicki: Sometimes.

Mr. Wayne Gates: I just wanted to bring a smile to your face. It worked. That's all.

Listen, I've got one question I want to get in. Okay? Many communities across the province have had serious issues with the Ontario Municipal Board. In Kitchener-Waterloo, an entire city building was scrapped by the board. In Scarborough, the board sided with developers against community groups, residents, city councillors and other elected officials when it allowed the developers to build on a contaminated site that was a former plant.

Given all the complaints about the OMB, specifically in regard to the accountability of the board and the belief that developers—I think this is a key issue—always win at the board, do you believe it should continue to function in the way it currently does?

Dr. Bruce Krushelnicki: Well, the first answer I'll give is that it should function in the way that it currently does—it may not be necessary. I think for any organization there are opportunities for continuous improvement, for reforming procedures, for revising the organization to make it work more efficiently, more responsibly and more transparently. All those things are changes, and I'm in favour of change and change management.

The fundamental issue, though, of whether developers win more often or have an easier time of it at the board is a big issue. I don't know the specifics of those hearings or those decisions, and it really is inappropriate for me to discuss them even if I did. But I can say that the purpose of the board is to provide an opportunity not only for developers when they feel wronged by a decision, but by citizens who feel wronged by a decision.

Many times the developer wins, but what citizens have to remember is there wouldn't have even been a hearing if there wasn't an OMB. There wouldn't have even been an opportunity for an appeal or a sober second thought of a decision if there wasn't an administrative tribunal to which you could appeal.

So many appeals are lodged by citizens against developers, and the developers will tell you—I'm not sympathetic to either side; I'm sympathetic to all sides—it's a costly affair for them to go through because they have to hire the lawyers and the experts and so forth to deal with complaints.

I think the most important thing is to try and make the boards less complicated, less legalistic; to make them simpler, more approachable and more accessible, and to arrive at prompt decisions that are evidence-based and apply good policy. If you've done that, at the end of the day I think the reputations of the boards and their brands will improve.

But invariably, and this is an important point: I'll say, of the hundreds of thousands of municipal and environmental decisions that are taken in the province in a year, they deal with a couple of thousand—a tiny, tiny fraction. And they're the ones that are the hardest nuts to crack.

The boards deal with controversial issues, just as this House deals with controversial issues. Where you have controversy inherent in your processes you will have division, you will have people who will not be satisfied, and you have to learn to accept that. My point is, you've got to make the process as good as it possibly can be to avert those cases where you haven't done the job right.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Dr. Krushelnicki, that concludes the time for your interview today. I want to thank you for coming and appearing before us. We will consider your concurrence after you step down. You're welcome to stay.

Dr. Bruce Krushelnicki: Thank you, Mr. Chairman and members of the committee. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much.

We'll now consider the concurrence for Bruce Krushelnicki, executive chair, Environment and Land Tribunals Ontario, and member, Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal and Ontario Municipal Board. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Bruce Krushelnicki, nominated as executive chair, Environment and Land Tribunals

Ontario, and member, Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal and Ontario Municipal Board.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? Motion carried.

Congratulations, Dr. Krushelnicki. Thank you very much again for being here today.

We have one more piece of business that we need to do today. We have one more deadline extension. That extension is for Peter Rossos, nominated as member of

eHealth Ontario, selection of the official opposition from the September 25 certificate. The extension expires on November 24. With the board's agreement, we'd like to extend that to December 24. Do I have agreement?

Interjection.

The Chair (Mr. John Fraser): December 24. Another month.

Mr. Lou Rinaldi: Agreed.

The Chair (Mr. John Fraser): Good. Thank you very much. The meeting is adjourned.

The committee adjourned at 0933.

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Legislative Assembly of Ontario

First Session, 41st Parliament

Assemblée législative de l'Ontario

Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 1 December 2015

Journal des débats (Hansard)

Mardi 1^{er} décembre 2015

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 1 December 2015

Mardi 1^{er} décembre 2015*The committee met at 0904 in committee room 1.*

SUBCOMMITTEE REPORT

The Vice-Chair (Mrs. Cristina Martins): Good morning, everyone. Before we begin our intended appointments review, our first order of business is to consider the subcommittee report dated Thursday, November 26, 2015. Mr. Pettapiece?

Mr. Randy Pettapiece: I move the adoption of the subcommittee report on intended appointments dated Thursday, November 26, 2015.

The Vice-Chair (Mrs. Cristina Martins): All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

M^{ME} MARIE BIRON

Review of intended appointment, selected by official opposition party: Marie Biron, intended appointee as vice-chair, Champlain Local Health Integration Network.

The Vice-Chair (Mrs. Cristina Martins): We will now move to appointment review. We have one intended appointee to hear from now. We'll consider the concurrences following the interviews.

Our first intended appointee for today is Marie Biron, who is nominated as vice-chair, Champlain Local Health Integration Network.

Please come forward and take your seat at the table. Bienvenue. Merci d'être ici.

You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Questioning will be starting, then, with the official opposition.

Please start.

M^{me} Marie Biron: Bonjour, madame la Vice-Présidente et messieurs et mesdames membres du comité. Ça me fait plaisir de prendre quelques minutes pour me présenter.

Après une carrière de plus de 31 ans dans le domaine des communications à la fonction publique fédérale, je suis maintenant à la retraite depuis un peu plus de cinq ans déjà. Dans mon cas, la retraite m'a permis une plus grande contribution communautaire et aussi de me présenter devant un comité comme celui-ci.

Lorsque j'ai pris ma retraite en 2010, j'ai aussi décidé de ne pas me représenter aux élections scolaires qui avaient lieu la même année. J'ai été conseillère scolaire pendant plus de 12 ans. Pendant plusieurs mandats, j'ai aussi occupé les fonctions de présidente et vice-présidente du plus grand conseil scolaire francophone en Ontario. Je suis très fière du travail accompli pour l'éducation francophone en Ontario. Notre conseil a toujours été parmi les leaders en matière de réussite scolaire, en grande partie grâce à une gouvernance axée sur les résultats.

En 2010, j'ai donc tourné une page et j'ai décidé de m'impliquer dans un domaine qui touche de très près la vie des gens : celui de la santé. J'ajouterais que c'est le domaine qui touche souvent les gens qui sont les plus vulnérables, les plus fragilisés. L'accès aux services de santé en français était aussi une motivation pour siéger au RLISS de Champlain. J'ai été nommée au conseil d'administration en juin 2011 et mon mandat a été renouvelé jusqu'en juin 2017.

J'aimerais aussi mentionner mes autres implications communautaires. Depuis 2011, je suis présidente de la Fondation des écoles catholiques du Centre-Est qui vise à contrer les effets de la pauvreté sur la réussite scolaire et le bien-être des élèves. Depuis quelques mois, je siége au conseil d'administration de Retraite en action, un organisme dans la région de la capitale nationale qui vise à offrir une panoplie d'activités pour faire en sorte que les retraités francophones de la région d'Ottawa-Gatineau vivent une retraite active et stimulante, ce qui a des effets positifs sur la santé.

Revenant à mon rôle au sein du RLISS de Champlain : je préside le comité de finances et de vérification depuis 2012 et je siége au comité des services en français ainsi qu'au comité de nominations. Vous avez rencontré deux de nos nouveaux membres au cours des derniers mois, Pierre Tessier et, plus récemment, Guy Freedman. Lors du départ de notre vice-présidente le 1^{er} septembre dernier, le président du RLISS m'a demandé d'occuper la fonction de vice-présidente. Voilà pourquoi je me retrouve devant vous aujourd'hui. C'est une responsabilité que j'ai acceptée avec humilité car je sais que je pourrais m'appuyer sur le leadership que joue notre nouveau président Jean-Pierre Boisclair depuis sa nomination, et je pourrais également m'appuyer sur l'expérience et les compétences de l'ensemble des membres du conseil d'administration, qui sont continuellement axées sur

l'atteinte de résultats en vue d'améliorer les services de santé à la population sur le grand territoire urbain et rural de Champlain.

I want to highlight another strong aspect of my motivation for my implication on the LHIN board. It's the local aspect of health services planning, integration and funding that I believe are important.

Just as I was involved in a local school board which ensured that local needs in education were met, I feel that the health system gains from working closely with its partners and health service providers to address the local needs of its population.

What is so different about Champlain to want to focus on its local aspects? Champlain has the largest francophone population of all LHINs, at just under 20% of its total population; Champlain has a large aboriginal population, including the largest Inuit population outside Nunavut; and Champlain has an important newcomer population. All these groups, and other health care clients in Champlain, have specific health needs that can be addressed locally if we plan and fund the service with them in mind.

Recently, the Champlain LHIN drafted its 2016-19 integrated health services plan. The plan is line with the ministry's Patients First: Action Plan for Health Care.

0910

Just like the provincial plan, our IHSP aims to put people and patients first by improving their health care experience and health care outcomes. Our IHSP is now with the ministry for approval, and I'm looking forward to when the public health service providers and MPPs have access to it to better understand the direction we will be taking over the next three years. Our board feels that the plan is concrete, results-oriented and, although ambitious, feasible.

Our board is very impressed with the level of community involvement that was undertaken to inform the development of the plan. Francophones and aboriginals responded in large numbers to our surveys and our engagement sessions, and therefore contributed in an important way to our IHSP. Over 4,000 people were engaged in providing their input to help us move forward in the next three years to provide better and more efficient care and wellness to the Champlain population.

Health service providers have expressed that the plan resonates with them. They also expressed enthusiasm and a readiness to face the challenges ahead.

One major recent change has been the standardized performance measures for all 14 LHINs by the Ontario Ministry of Health and Long-Term Care. The bar is being raised, and we, the board of the Champlain LHIN, are up for the challenge. We intend to be a top performer in Ontario. People in Champlain will have timely access to quality service wherever they live. We have made significant improvements to achieve and surpass our previous targets in the past. We are now working to achieve and surpass our new targets.

I would like to end on what our LHIN is doing to welcome and assist Syrian refugees in our area. The

Champlain LHIN is a member of the health subgroup of the Refugee 613 steering committee in the Ottawa area. During humanitarian emergency situations such as this one, the LHIN staff has experience in playing important liaison and coordinating roles between health service providers and the provincial government.

Over the last few years, the LHIN has spearheaded and funded a newcomer health clinic and cultural health navigators that assist newcomers in accessing health services. We are well positioned in our area to welcome Syrian refugees and address their health needs, thanks to the expertise of staff of the Champlain LHIN and of our health service providers.

I would be pleased to answer questions you may have in the language of your choice. Merci.

The Vice-Chair (Mrs. Cristina Martins): Thank you very much for your deputation. Merci bien. We are now going to start with the official opposition.

Mr. Randy Pettapiece: Good morning. Thank you for coming in today.

I want to ask you a few questions concerning the Champlain LHIN. The Auditor General has reported that the Champlain area has some of the highest wait times to get into a long-term-care home, with individuals waiting years for a bed. I understand the LHIN's position has been that the area exceeds the number of beds it needs and that there are no plans for new beds.

Do you believe it's acceptable for individuals to be placed in a long-term-care bed hours away from their family?

M^{me} Marie Biron: I agree that it's a huge, huge challenge, the issue of long-term-care beds. Our population is growing older, it's getting more fragile, and there is quite a need for long-term-care beds.

But we are working with the government. We have plans for hospice beds down the road. Hopefully they will be funded. There are different initiatives to try to address the needs of people if they can't into long-term-care beds. For instance, home care: There is more being done in home care services. Actually, it is a huge priority and a huge part of the discussions that we have at our board, because not enough money goes into those kinds of services at this time. But we're pleased to see that in 2014-15, a bit more funding has gone into more health care services outside of hospitals, where people really do need that care.

So I don't have a specific answer to your question, but it is something we are working on, and we intend to work on having better access. We realized, when we went over the ministry's new targets, that that is one of the performance targets that will be quite a challenge for the Champlain LHIN. There are other targets that we are meeting more easily and that we have met over the years, but I will admit that is one that we have highlighted in our new performance targets as one of the key challenges.

As board members, that's one of the things that I feel is important to know: What are the gaps? You have to build on what works well and keep increasing what

works well, but I, personally, as always, have always wanted to see: What are the gaps, the real gaps, that make a real difference in people's lives? Where do we really need to focus? That is something that we will really follow our CEO and staff at the LHIN to ensure that there is movement on those performance indicators.

Mr. Randy Pettapiece: It would seem to me that if they claim to have an excess of beds in this area there's a planning problem here, when individuals can't find care in their home community. Would you agree with that statement?

M^{me} Marie Biron: I have to go back and see about the excess of beds, but I agree that people should not go far away from where they live. It should be part of their—close to their communities. It has to be close to their families.

I know planning is potentially an issue, and that's the role of the LHIN, to look at putting people together, bringing people together who have a specific focus like long-term-care beds, and with the hospitals, also. There are people in hospitals who need to go to long-term-care beds. Where can they go instead of long-term-care beds? Most people prefer to go home, to have the services at home and to have the services come to them at home, so that is something that I agree needs to be worked on and better planned with the different health service providers.

Mr. Randy Pettapiece: The Champlain CCAC has had some serious issues with service cuts to its clients. Were you aware of this issue as a LHIN board member before the information hit the media?

M^{me} Marie Biron: Before the information hit the media? I think we've been working very, very—particularly with the CCAC, a major organization like that in our community, we work very closely with them. If there are issues that we see are creeping up, we try to work with them to ensure that there's a better strategy, to address that internally with them. We do keep track very, very closely of the needs of the CCAC and other health service providers.

Mr. Randy Pettapiece: But were you aware of these problems before it did get into the media?

M^{me} Marie Biron: I would say that the staff would have been aware of some problems, because, as we say, we do work with them.

Mr. Randy Pettapiece: Okay.

The Vice-Chair (Mrs. Cristina Martins): Mr. McDonell.

Mr. Jim McDonell: We have an issue of long-term-care beds, and the Auditor General reported us as being the worst in the province. When I inquired about the numbers, the word back from the CCAC is that we have, essentially, a surplus of beds; we don't need any new beds beyond 2030. I just wonder—the explanation. If we have so many beds, why do we have the worst record in the province? Either the numbers are wrong or the organization is terrible. It can't be both, because the population almost doubles between now and 2030.

0920

So by those numbers, it would mean you'd have not only a surplus, but you'd have double the number that

you need. We have people who have been designated as having to go into a long-term-care bed; these aren't the people who just want to go in. So the numbers just don't add up.

M^{me} Marie Biron: I tried to answer the question a little earlier, but I think it's an issue, and I know it's a major issue that you have.

Mr. Jim McDonell: Yes.

M^{me} Marie Biron: I think the opportunity I have is to bring those kinds of issues back to the LHIN and to have more discussions—not more discussions, but to plan these out better with the CCAC.

Mr. Jim McDonell: Yes. I guess the issue is when we bring it up and they tell us, "We have a surplus," the numbers don't—

M^{me} Marie Biron: Add up.

Mr. Jim McDonell: —trigger more beds. They're sitting there telling the public, "We have more than we need." Really, the public is not stupid. They know that every family that needs a bed is on a wait-list for more than a year. I think the Auditor General's report was an eye-opener, but it seems to be that it's ignored.

M^{me} Marie Biron: That's something, as I say, I will bring back as a real issue, so that we can really see what the problem with that is. I understand that a lot of people do need a place in those long-term-care beds, but I know there's also a lot of work that's being done to see if there is more support for people to stay in their homes. Thank you, and I will raise it.

The Vice-Chair (Mrs. Cristina Martins): You have one minute and 16 seconds.

Mr. Randy Pettapiece: Doctor shortages: There are communities in, the Champlain catchment—have you been working on this yourself, on doctor shortage issues? Do you have some solutions that you may want to bring forward for this?

M^{me} Marie Biron: We feel that the primary care physicians are what people really, really need. That's the first line of service that people really need.

In the Champlain area, I think we had about 93% or 94%—I forget the exact number—of people having access to a family physician. The idea is to have access quickly, to try to have access within a day or two. That is still a challenge.

We have been made aware of some issues related to access to family physicians, but that is a funding issue also, for people to come also and to have more doctors in the area—

The Vice-Chair (Mrs. Cristina Martins): Thank you very much. Your time is up now. I'm going to pass it over to Mr. Gates.

Mr. Wayne Gates: Good morning. How are you today?

M^{me} Marie Biron: Good morning. Thank you.

Mr. Wayne Gates: I've got a few questions here. Do you believe that imposing hard caps on the amount of fees that doctors can claim from OHIP is an effective method of funding our medical system?

M^{me} Marie Biron: Imposing—

Mr. Wayne Gates: Hard caps, on doctors.

M^{me} Marie Biron: I think this is a huge issue about funding doctors' compensation. It's difficult for me to really address an issue like that. The LHINs don't fund the salaries of doctors, so I feel I'm in a difficult situation to answer that.

Mr. Wayne Gates: I appreciate that. One of the most critical aspects of our health care system is the workers who provide home care and long-term care. As a member of the LHIN, what will you do to ensure that those workers are getting the pay and treatment they deserve from our health care system? We've had a number of issues with CarePartners, a private company.

M^{me} Marie Biron: I agree with you. When I talk about very fragile clients in the health care system, they're the ones who get that kind of service from those personal support workers. Actually, my mother does also, so I understand personally that everyone should be compensated for the value of the work they do, particularly when it's such close and personal care of clients.

Those salaries, unfortunately, are negotiated by the government and the service providers. The LHIN isn't in the service delivery function. It works with the organizations that provide those services. We pay for some of the services indirectly to them and, in some cases, directly to them. But those issues of salary compensation are not under our purview, unfortunately.

Mr. Wayne Gates: Having said that, you do play a major role in referrals and which companies should be providing that care. They can still do the referrals, even though they might not be best for the patients. But I understand your thinking.

You're talking a lot about compensation, which I think is important, but one that has really struck me here is that the CEO of Champlain CCAC received the highest pay—\$314,000—and recorded the highest overall salary increase of 72%. When you see that around the province of Ontario, we just had a tough 14 months with teachers: net zero. CarePartners just took a strike for seven months, trying to give those workers no increases. Do you think that it's fair that a CEO should be paid \$315,000 when we can't even provide beds for our seniors in that community?

M^{me} Marie Biron: The compensation of CEOs of CCACs, hospitals and other big organizations has been an issue for many years. I agree with you: When it's compared to the average salaries of Ontarians, there's a huge, huge gap. But we're hopeful that there will be a framework that will look—it's supposed to be looking at all CEO salaries. We, as a LHIN, will obviously be following such a framework very, very closely. But it is a huge salary.

Mr. Wayne Gates: But you realize that it is the board that determines the salary.

M^{me} Marie Biron: Yes. And—

Mr. Wayne Gates: All right. So obviously the board can control the salary. I guess that's where I'm going with this. Obviously the board of the CCAC there said "\$315,000," a 72% increase since 2009, when we're

being asked to cut back right across the province in health care. I think you've got a problem there when you're awarding anybody 72%. Hopefully, if you get on, you can raise that issue on behalf of, certainly, myself as an MPP.

The other thing: My good friends to the right of me were talking about seniors in your community. When you take a look at the numbers that make up this particular LHIN, right now 16% of the population is over 65, which is a really high number. But if you look 20 years from now, that number is going to go to 25%, which is an increase of 9%. If you think you've got a problem with long-term-care beds today, you're going to have a bigger problem going forward.

Do you have any idea of how we can make sure that seniors—including myself, and probably my colleagues are moving into that age—

M^{me} Marie Biron: Including me.

Mr. Randy Pettapiece: Careful, careful.

Mr. Wayne Gates: —I'm trying to be careful, but at the end of the day, it's going to happen—to make sure that they do have the long-term-care beds, because I agree with you: It is absolutely terrible on the family if they have to drive an hour or an hour and a half to make sure they're going to be taken care of and to be able to see their family members.

I know we'd like to get more into home care, but sometimes that's just not physically possible either. I think you've got a real problem on seniors. Maybe you could address that a little bit.

M^{me} Marie Biron: I agree with you. That's something, as I mentioned, that was highlighted as one of the key challenges. Our LHIN recognized it in the new performance targets that were given by the government. There are 15 targets, and that's one of the ones that we noted in our report that we're not proud of and that we need to work on much better.

The LHIN looks at all of these targets. In a case like that and other cases, we need to bring the service delivery people together to see how best to address it, and there's a funding issue also. But I take your point and will bring it back also to my colleagues as one of the issues that you raised.

0930

Mr. Wayne Gates: I appreciate you saying it's a funding issue. The reality is, there are lots of funds for health care, but when you're dividing the pie up among private companies, it's not getting to the front-line workers, and that's what I believe is the issue with health care.

It's interesting again from my colleagues—I thought it was a great question. It says right here in the LHIN's service plan: "More seniors are cared for in their communities." So it's not like you don't know about it; it's just not being done. It's not a surprise to them. They know. It's right in their plan.

The other one that I'd like to have somebody explain to me: One of the goals of the LHIN here in this area is, "More people receive quality ... care," which we all want

for everybody. Can you explain the next part of it, “evidence-based care”? Can you explain what “evidence-based care” is for me?

M^{me} Marie Biron: Evidence-based care is, for instance, when there is research that’s being done, you can build on that research and it can be brought into the hospitals, the service providers, to maybe change the practice so that it’s better care. For instance, at one point, a lot of people were staying in hospital when they could have been maybe in their own home, in a different bed or in an alternate bed. Evidence proved that people were not getting better in hospital. If you don’t move, if you stay in your bed, if you maybe catch different bugs, it wasn’t necessarily a safe place to stay if you didn’t need acute care. That’s evidence-based.

Evidence-based is also looking at the results—again, I’ll come back to our performance targets. When we have these targets and we look at a particular sector in the community where maybe a whole sector is getting—

The Vice-Chair (Mrs. Cristina Martins): You have 40 seconds.

M^{me} Marie Biron: —a certain pot of money, are they performing according to that pot of money or do we have to bring them together because maybe we see that there’s no evidence that things are changing? So let’s bring them together and say, “How can we move things together so that we have better results?”

Mr. Wayne Gates: Just to your point, people were staying in hospital because there are no long-term-care beds for them to go to. That’s the issue. They were staying in the hospital because there was nowhere for them to go and sometimes they can’t be accepted at home. All right. Thank you.

M^{me} Marie Biron: I agree. Thank you.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Ms. Biron, and thank you, Mr. Gates. We’re now going to go to the government side. Madame Lalonde, you have three minutes.

M^{me} Marie-France Lalonde: Merci d’être ici, premièrement, ce matin avec nous. Puis, merci aussi pour vos années au sein de la fonction publique et définitivement dans les derniers cinq ans au niveau de l’engagement communautaire. Je sais que certains composants de ce que vous faites ont une très belle implication dans nos communautés pour Ottawa, donc merci beaucoup. Je voudrais juste vous reconnaître pour ça.

Je sais qu’on a parlé beaucoup de ce qui ne fonctionnait pas et tout ça, et puis on l’a adressé. Mais, moi, j’aimerais peut-être que vous élaboriez sur les priorités du RLISS et, peut-être en tant que vice-présidente, comment allez-vous adresser ces priorités?

M^{me} Marie Biron: Les priorités du RLISS, on est en train de—on a fait notre nouveau plan stratégique, qui n’est pas encore approuvé par le ministère. Mais je dirais que les priorités sont vraiment—et on en a parlé un petit peu : c’est l’accès. C’est l’accès aux services de santé. Quand on parle d’accès, c’est l’accès, entre autres, aux lits de longue durée, l’accès aux services « home care » ou services à la maison. Quand on parle d’accès, c’est

vraiment l’accès aussi aux médecins de famille, et qu’il y en ait plus. Alors, une priorité qui touche beaucoup, beaucoup de secteurs, c’est vraiment l’accès. C’est ce sur quoi, entre autres, on va mettre l’accent.

Comme priorité, aussi, dans une des responsabilités du RLISS, c’est vraiment de ne pas travailler en vase clos. On ne travaille pas en vase clos. On travaille vraiment avec nos—je pense que c’est 140—fournisseurs de soins de santé, mais aussi avec le public. Alors, dans un nouveau poste à titre de vice-présidente, je vois mon rôle à faire davantage de communication avec les fournisseurs de soins de santé et avec le public; donc, les rencontrer, aller au-devant pour les bien écouter. Entre autres, j’ai pu avoir l’occasion de faire quelque chose de cette nature-là dans la dernière année. On a rencontré des centres de santé communautaire. C’était dans un centre de santé communautaire, mais ils avaient amené plusieurs fournisseurs de soins de santé—

La Vice-Présidente (M^{me} Cristina Martins): Il reste 30 secondes.

M^{me} Marie Biron: Donc, plusieurs fournisseurs de soins de santé pour les services aux nouveaux arrivants, alors c’était vraiment, vraiment intéressant d’entendre toutes leurs perspectives et les défis qu’ils rencontrent. Ça nous alimente ensuite dans le travail qu’on fait et puis dans les questions qu’on peut poser au personnel du RLISS.

M^{me} Marie-France Lalonde: Merci beaucoup. Donc, j’entends une autre forme d’engagement communautaire avec, possiblement, la nouvelle position. Félicitations.

M^{me} Marie Biron: Merci.

La Vice-Présidente (M^{me} Cristina Martins): Merci, madame Lalonde. Merci, madame Biron.

We will consider the concurrences following the interviews. You’re more than welcome to stay. That concludes the time allotted for this particular interview.

MR. KEVIN COSTANTE

Review of intended appointment, selected by official opposition party: Kevin Costante, intended appointee as member, Ontario Public Service Pension Board.

The Vice-Chair (Mrs. Cristina Martins): Our next intended appointee today is Mr. Kevin Costante. He is being nominated to the Ontario Public Service Pension Board as a part-time member.

Please come forward and take a seat. Welcome and thank you for being here. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government’s time for questions. When we do start, questioning will be starting from the third party with Mr. Gates.

Thank you very much. You can begin.

Mr. Kevin Costante: Thank you, Madam Chair, and thank you to the committee for having me here today. I think many of you likely have my CV, so I won’t go over that. Rather, what I’ll do is I’ll just briefly pull out my

experiences and skills from my background that I think make me a good candidate for this position.

First of all, I worked as a public servant for over 35 years, nine of those years for the government of Saskatchewan and the last 26 for the province of Ontario. I think over that time period, I know how government operates very well and I also know what it means to work in the public interest.

In 1999, I was appointed a deputy minister in the government of Ontario and served as a deputy minister for 15 years in the Ministries of Education, Community and Social Services, Training, Colleges and Universities, Northern Development and Mines, Government Services and Cabinet Office. Over that time period, I think I acquired significant experience in managing large programs and in policy development, budgeting, financial reporting, auditing and human resources management; also in stakeholder management and delivering services to the public. I've also been in charge of implementing new computer software into large government programs.

As DM, I was also a government appointee to a number of boards, like ServiceOntario and the Corporate Audit Committee of the government. Through that, I think I know the important oversight and governance role that boards play in overseeing public institutions.

I retired from the Ontario public service in 2014 and I'm currently a member of the Public Service Pension Plan, so I know what it's like also to be a client and a pensioner of the plan. I have a long-standing interest in pensions. At various points in my career as a public servant, I have interacted with pension plans. One of my first assignments—and I know it's going back some time—when I joined the public service of Saskatchewan was to do a review of the administration of the teachers' superannuation plan. Subsequent to that, I was appointed by the government as a member of that plan for just over a year.

As Deputy Minister of Education and Deputy Minister of Government Services, I also met on numerous occasions with the senior leadership at the chair and CEO level of the teachers' superannuation plan, OPSEU Trust and the Ontario pension plan to deal with issues between the government and the pension plans.

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Lastly, as a matter of personal interest, I think pensions are a very important public policy topic, particularly in this country, with its aging population.

Thank you for having me here this morning and I'm happy to answer any questions.

The Vice-Chair (Mrs. Cristina Martins): Thank you very much, Mr. Costante. Mr. Gates.

Mr. Wayne Gates: Good morning, Kevin. How are you?

Mr. Kevin Costante: I'm great, thank you.

Mr. Wayne Gates: Good. In the last number of years we have seen a move away from defined pension plans towards a pooled retirement savings plan. Do you believe this should continue, or should that trend be reversed?

Mr. Kevin Costante: I think when you go to a defined contribution as opposed to a defined benefit plan, which I think is what you're talking about—

Mr. Wayne Gates: Yes.

Mr. Kevin Costante: —the risk does shift to the employee, because the amount of the pension then becomes very dependent on market returns and interest rates of the day. I think a well-managed defined benefit plan can be responsibly managed and can be no more expensive to the government or the employer than a defined contribution plan. I think it provides much more safety to the employees, and therefore I have to say that I think those are a much better plan for pensioners and something that I support.

I have to say, oddly, I am a member of both, because with my Saskatchewan pension, I'm in a defined contribution plan—and the Ontario one, of course, is a defined benefit one.

Mr. Wayne Gates: Are you familiar with the US Steel situation at all, the pensioners?

Mr. Kevin Costante: No, I'm not.

Mr. Wayne Gates: You're not? Well, I'll give you a little update on what happened. US Steel went to court and the retirees have lost their benefits through a decision by the courts. It's being challenged, but you can imagine being 80 years old, 75 years old and losing your benefits. But if you're not familiar with it, I won't ask you a question on it.

What impact, if any, do you expect the introduction of an Ontario pension plan would have on the operations of the OPB?

Mr. Kevin Costante: Well, I am guessing it would have very little impact on it because the OPB essentially provides a full pension to all of its members, including senior members of the public service and the OPP. I believe the other plan is for employers that don't have defined benefit contribution plans, and therefore I think it is a useful public policy tool and one that's to be encouraged so that people, when they retire, have adequate income.

Mr. Wayne Gates: So you don't think it will have much of an impact at all, or very little?

Mr. Kevin Costante: I don't believe so. I haven't joined the plan yet, so I haven't had the briefing that would tell me—

Mr. Wayne Gates: We're not sure of the plan ourselves, so I think that's a fair response.

Are there any companies or industries that the OPB is currently invested in that you believe it should divest from for ethical or other reasons, and are there any companies or industries that the OPB is currently not invested in that you believe it should be considering?

Mr. Kevin Costante: I'm sorry, again, I'm not intimately familiar with what specific companies or arrangements the plan is involved in. I did look at their annual plan, which talks about asset classes—whether it's bonds or stocks or infrastructure, those sorts of things.

I do believe those decisions are ones that many pension plans and other organizations that do investments

in the country have to consider, and I think before making any decision on that, you would want to know the full impact of those things.

I think the number one duty of a member of the board and the board of the pension plan is the fiduciary duty to its members to make sure that the plan is financially healthy. I would want to look at those in terms of advice from the experts and advice that there are alternative investment vehicles that would make sure that the plan is financially sound.

Mr. Wayne Gates: In the business plan 2014-16, the OPB had some priorities. Here's one that kind of jumped at me: "Continue to explore investment and/or pension administration consolidation." Are you familiar with any of that?

Mr. Kevin Costante: A little bit. I'll give you my impression of what it means. Again, I'm not part of the board, so I haven't been intimately involved in this.

Mr. Wayne Gates: Yes, that's fair.

Mr. Kevin Costante: I believe that very large pension plans like the Ontario teachers' plan or OMERS—because each of them has over \$100 billion in assets, it allows them to invest in infrastructure and some types of financial vehicles solely because of their size. These types of investments also have good rates of return. Smaller plans—not that this plan is a small plan, but it's a medium-sized one at slightly over \$20 billion—are looking to partner with similar plans. If I remember the business plan correctly, they're looking to go into an arrangement with the Workers' Compensation Board. They would pool their investment monies to have access to these investment tools that have a greater rate of return.

That's a worthwhile thing to explore. Again, I think the board's responsibility would be to look at the analysis, the experience: What are the pros and cons of it? What's the payback for the plan and the members?

Mr. Wayne Gates: Yes. To your point, there's \$22 billion in assets, and they're taking care of almost 43,000 members.

Mr. Kevin Costante: Right.

Mr. Wayne Gates: And 35,000 retired members as well. So it's a relatively big plan.

Could you let me know what your experience on pension matters is?

Mr. Kevin Costante: I guess my experience—I outlined it somewhat. In the role of a deputy minister, I played a bit of a liaison role, a briefing role, between the plans that were the responsibility of my ministers and the minister. That's one area where I gained some exposure to it.

Secondly, my experience in Saskatchewan as both a board member and as a reviewer of the administration of the teachers' superannuation plan, and then over the last year or so as a pensioner and receiving services and customer service of a pension plan, which is very important for the thousands of pensioners: that they understand their pension, that there's transparency, that they know

who to talk to if they have questions, that they get good service, and the cheque shows up every month.

Mr. Wayne Gates: That may be the key: that the cheque shows up every month, for sure.

Mr. Kevin Costante: Yes, sir.

Mr. Wayne Gates: Just a question: You were out in Saskatchewan. You're now in Ontario. So you're a Roughriders fan?

Mr. Kevin Costante: Yes. I am a suffering Roughriders fan this year, yes.

Mr. Wayne Gates: Because normally, once you become a Roughriders fan, you never go back anywhere else; right?

Mr. Kevin Costante: I have the green jersey in my—

Mr. Wayne Gates: It's certainly what I've noticed.

My last question—what I do quite regularly, especially with somebody like yourself: Have you ever run for a political party or ever considered running for a political party?

Mr. Kevin Costante: No, I haven't.

Mr. Wayne Gates: You haven't?

Mr. Kevin Costante: To both questions.

Mr. Wayne Gates: On both of those? All right. Thanks. I appreciate it. Thanks for your time, buddy.

Mr. Kevin Costante: Thank you.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Gates. We're now going to go to the government side, and we have six minutes and 40 seconds. Mr. Baker, please.

Mr. Yvan Baker: I don't think we have any questions for you. I just wanted to thank you for your public service. I had the chance to review your resumé in detail, and the number of senior positions you've held across many significant ministries in government—I think you've had senior roles in more ministries than you haven't had. I just want to thank you for your public service, and thank you for offering to contribute your time to this important role. Thank you.

Mr. Kevin Costante: Thank you very much.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Baker. Now, Mr. Bailey, please.

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Mr. Robert Bailey: Thank you, Mr. Costante, for coming in today. I was reading your resumé and then, of course, you went on and expanded upon your service in Saskatchewan—nine years, and 26 in Ontario, in many different senior roles. I wonder if you could explain—I'm surprised the government didn't bring it up. According to the press, anyway, you were identified by the privacy commissioner, Ann Cavoukian, as being one of the major—what would you say?—contributors to her investigation.

In her words in the Toronto Star, "I find it very difficult to accept the fact that your office took my investigation seriously." That was in a letter she wrote to you. So did you take her investigation seriously? Could you explain that? Because I don't think you ever had a chance to really explain that side—that I know of, anyway.

Mr. Kevin Costante: I was called to committee twice on that, but I'm happy to talk about it again. When the gas plants issue arose and there was an allegation of deleted emails, the privacy commissioner was asked to investigate. She undertook an investigation. She met with senior people from the Ministry of Government Services, which I was the deputy of. The answers were given to her from the basis of policy. Unfortunately, the ministry, and I take responsibility as deputy—we did not at that time go and look into the system itself and make sure that the deleted emails had actually been deleted. As you know, computer systems are very complicated. You can delete an email; that doesn't mean it's gone forever.

When she asked the question, "Were the emails deleted?", the answer coming back was yes. Indeed they had been deleted, but they hadn't been fully deleted, if you will. So we made a mistake. I apologized to the privacy commissioner for that mistake. Once we discovered the mistake, I went personally, met with her and told her we had made a mistake. We subsequently made those emails available. I wish we hadn't made the mistake, but it did happen. We apologized and I think we righted the mistake that we made.

Mr. Robert Bailey: The Public Service Pension Plan being such a large entity, how do you feel that your experience in a number of different roles that you have—what will you bring to the table, besides being a retiree?

Mr. Kevin Costante: I've been responsible for large organizations. One of the things I noted from the business plan is that they're about to renew some of their IT infrastructure. I have been through that in several ministries. It's always a very tricky business, both in government and in the private sector. There's a high percentage of those major changes that go wrong, and I think I have some experience that would help them get through that and do the appropriate risk management. I know where some of the problems can arise and can ask questions about that.

I also think I have a broad range of management experience, both human resources, financial, audit—I was chair of the government's audit committee. I know the questions to ask senior administrators about how things are progressing and what processes they have put in place to make sure that things go right, and when things do go wrong—and that's what you just asked about; things do go wrong on occasion—how to correct them and how to correct them in a fair, honest and rapid fashion. So I will try to bring all of that management experience to the table with me.

I also understand that the board has a different role from the senior administrators. The board's role is one of asking questions, making sure that the administrator is living up to the strategic plans and the business plans that have been set by the board, and not interfering with the day-to-day operations.

Just as ministers understand the difference between ministers and deputies, I understand the difference between a board member and the CEO. I think I can do that in a respectful and helpful manner, and bring that experience to the table.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Bailey, and thank you, Mr. Costante. That concludes the time for this interview—sorry, let me just go back. The Conservatives still have time. Mr. Pettapiece.

Mr. Randy Pettapiece: I have time?

The Vice-Chair (Mrs. Cristina Martins): Yes, you do. You have four and a half minutes.

Mr. Randy Pettapiece: Thank you for coming in today, sir. I know you have apologized for what happened with the tapes. Do you think it was your responsibility or the responsibility of the government to apologize?

Mr. Kevin Costante: I think that was the civil service's responsibility. When the question was asked, a thorough check into the system should have been done, and it wasn't. That was absolutely the responsibility of the civil service, of which I was the senior person involved; not involved directly, but I was responsible for the staff that should have done this, and it didn't occur. So I think I was the appropriate one to apologize and correct it as quickly as possible.

Mr. Randy Pettapiece: You're being very responsible, sir, and I certainly respect your doing this, especially when we know that this business about the gas plants just ballooned and exploded on the government.

There were probably other people considered for this nomination—other than yourself, and the government put your name forward here—who were not associated with anything that happened in the past. I wonder, why do you think you were the government's final nominee?

Mr. Kevin Costante: I don't have any insight on that, other than that I have a lot of government experience and a lot of senior management experience. I've always been a proud member of the public service, and the good work we can do—I think the important, complex work that is done within the civil service is often not appreciated on the outside, and I think that people sometimes don't understand the depth of experience that senior leaders in the public service gain and can bring to bear on other activities such as boards. I hope that was the reason, and certainly I'd like to think that.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Pettapiece, and thank you, Mr. Costante. That concludes the time allocated for this interview. You may step down.

We will now consider concurrence for Marie Biron, who is being nominated as vice-chair, Champlain Local Health Integration Network. Madame Lalonde.

Mrs. Marie-France Lalonde: I move concurrence in the intended appointment of Marie Biron, nominated as vice-chair, Champlain Local Health Integration Network.

The Vice-Chair (Mrs. Cristina Martins): Any discussion?

All in favour? Opposed? The motion is carried.

We will now consider concurrence for Mr. Kevin Costante, who is being nominated as a member of the Ontario Public Service Pension Board. Would someone please move the concurrence? Madame Lalonde.

Mrs. Marie-France Lalonde: I move concurrence in the intended appointment of Kevin Costante, nominated as member, Ontario Public Service Pension Board (Ontario Pension Board).

The Vice-Chair (Mrs. Cristina Martins): Any discussion?

All in favour? Opposed? The motion is carried.

Congratulations to both Madame Biron and Mr. Costante.

We now have an extension of the deadline for considering the appointment of Eden Gajraj, nominated as member, Council of the College of Homeopaths of Ontario. The proposal is to move the consideration to January 21, 2016, which is 30 days after the original date. Do we have any discussion on that?

All in favour?

Interjection.

The Vice-Chair (Mrs. Cristina Martins): It's just unanimous consent, I'm being told. Unanimous consent? We've got it? Perfect.

There is another piece here. We did receive a letter from Mr. Peter Rossos who is being considered for eHealth Ontario's board of directors. The Clerk will now distribute the letter that we received. He has been considered for this particular board. Unfortunately, his Tuesdays always present a conflict for him to be present here. He is suggesting that he is available on Tuesday, December 22, but is available as well during the winter break.

I'm going to suggest, if everyone is in agreement, that you take this away, and then when the Chair is back for our next meeting, a final decision can be made on the request being made here, unless anyone else has something else to suggest at this moment. Is that fine?

Mrs. Marie-France Lalonde: No, I think it's a fair decision.

The Vice-Chair (Mrs. Cristina Martins): So if you could take this away, and then we'll consider that when we have the Chair here next week. Is that fine?

If there's no further discussion, the meeting is adjourned.

The committee adjourned at 1001.

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STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 8 December 2015

Mardi 8 décembre 2015

The committee met at 0900 in committee room 1.

The Chair (Mr. John Fraser): Good morning, good Tuesday morning. Welcome back to public appointments. It's nice to see you all here.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): I'd like to begin with our subcommittee report. Mr. Gates?

Mr. Wayne Gates: Thank you, Chair.

I move the adoption of the subcommittee report on intended appointments dated Thursday, December 3, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Wayne Gates: You're welcome.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MR. EDEN GAJRAJ

Review of intended appointment, selected by third party: Eden Gajraj, intended appointee as member, Council of the College of Homeopaths of Ontario

The Chair (Mr. John Fraser): Our first intended appointment today is Eden Gajraj, nominated as a member of the Council of the College of Homeopaths of Ontario.

Mr. Gajraj, could you come forward, please? Thank you very much for being here this morning.

Thank you very much for being here to appear in front of the committee. You will have time to make a brief opening statement. Any time that you use for your statement will be taken from the government's time for questions. The questioning will begin with the government, and you'll be asked questions by members of all three parties. Again, thank you very much for being here this morning. You may proceed.

Mr. Eden Gajraj: Thank you. Just to give you a brief background of my experience and qualifications, I am a community-minded professional who has been involved throughout my life in good works on behalf of my community at large, for which I have received numerous awards. Some of the awards I have received are the Canada 125 medal, the outstanding Canadian medal, the

Queen Elizabeth II Golden Jubilee Medal and the Queen Elizabeth II Diamond Jubilee Medal.

My working experience is in the accounting and financing industry. I was responsible for an audit team of an international firm of chartered accountants. I managed the asset-based lending division of one of the largest merchant banks and finance companies. I have held senior positions in two Canadian banks. Currently, I am semi-retired, but work with a team of consulting professionals who offer services in financing, project and enterprise planning.

My volunteer, community and human rights activities include the following: I've been the director of Food Buddies since 2001; the chair of the Malvern Community Group; president and founding member of the Queen's College Alumnae Association since 1991; the co-leader of the observer mission to Guyana in 1992 with President Carter, David Peterson and Ed Broadbent, which restored democracy after 30 years. I normally organize community seminars to help new Canadians understand our Canadian way of life. I've been the co-chair of the environmental advisory board of the former city of Scarborough. I am currently the co-chair of Friends of the Scarborough Hospital. There are a number of other community organizations that I have been a part of, but, as you know, time is limited to detail them all.

I was appointed in November 2009 to the board of the transitional council of the College of Homeopaths of Ontario. As you know, the College of Homeopaths of Ontario was established to allow self-regulation of the homeopathy profession within the framework of the Regulated Health Professions Act, 1991, and the Homeopathy Act, 2007. The college has a specific duty to protect the public interest. All members appointed to the council of the college—practitioners or public—are expected to make decisions and develop policies, guidelines, standards and regulations that are consistent with the legislative framework. This means that every council member has a legal duty to act in the best interests of the college and the public, not their personal interests or any interests of any organization.

I have served on the executive committee as chair of governance, the steering working group, the fitness to practice group, the ad hoc advisory panel and the community's communications panel.

The college was proclaimed into law on April 1, 2015. I agreed to put my name forward again to ensure that

there is continuity on this board and to help put into practice all the hard work that was put into the creation of the policies to govern the college.

I'd be happy to answer any questions you may have.

The Chair (Mr. John Fraser): Thank you very much, Madame Lalonde?

Mrs. Marie-France Lalonde: Thank you very much, Mr. Gajraj, for being here this morning. I have a very brief question in the sense that I know you were part of the transitional college as a member. Maybe tell us a little bit more and tell us, what did you learn from that experience?

Mr. Eden Gajraj: In the transition, what you basically do is you develop policies that will govern the college going forward. It's a difference between the public members and the homeopathy practitioners. During that period, what you really have is the profession wanting their own way and the public members trying to ensure that the public safety is being protected. There were several committees. It was a process over six years, so to try to tell you that in five minutes or so—but the overall idea is public safety and to protect the public.

Mrs. Marie-France Lalonde: I don't know if you're aware, but the minister mentioned that he would certainly like to see and he has asked all the health colleges to be more open and transparent. What are your thoughts on this?

Mr. Eden Gajraj: The Minister of Health has actually asked that this happen, and the college did prepare a statement. We all gave all our interpretations into that statement and signed off on it. I think that statement is in our package here.

Mrs. Marie-France Lalonde: Ah, in your brief, okay, perfect. Thank you very much. Thank you for putting your name forward.

Mr. Eden Gajraj: You're welcome.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Mr. Randy Pettapiece: Good morning. Something that I was reading in our notes here about the profession of homeopathy—I guess I'm lucky. I've been healthy most of my life, so I haven't used many medical doctors or whatever else. This is relatively new to me. I've heard about this profession. I certainly haven't used any of it and I really don't understand a lot of it other than what's in my notes here.

I guess that kind of leads me to the question that there has been some opposition to homeopathy. I wonder how you respond to that opposition.

Mr. Eden Gajraj: Some people in the medical profession see this as something that affects their practice. Homeopathy has been around even before the regular medicine that we practise today. Homeopathy goes back to—I don't remember when, but before regular medicine was practised, homeopathy was there. In fact, we had it regulated in the province of Ontario even before regular medicine was regulated. That got phased out and regular medicine came in.

Now, what has happened is you're trying to bring that back, because people are practising not only homeopathy but other health sciences without being regulated, and that's the whole idea of making sure that the public is protected. Any one of us can go and open up and put up a sign that says, "Today I'm going to be a homeopathic doctor or practitioner," and that is the reason for it being regulated.

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Mr. Randy Pettapiece: I see. I'm saying this because this is just my experience. It's maybe not the experience of a lot of other people. Friends that I have known who have used this type of service have used it as a last-minute, desperate measure to try to get out of what they've got, because the other system has failed them. I'm talking about a couple of people I know who passed away from cancer. This was the last thing they tried before they passed away, because radiation or whatever wasn't working. Is this something that is associated with homeopathy, kind of a last-resort type of thing? This is just my experience.

Mr. Eden Gajraj: I don't think so. I'm not in the medical field myself. I think it's a science that people have to believe in, and it works for some people, just like regular medication. It cures some people, and then it doesn't cure some people. I don't think I can answer that question.

Mr. Randy Pettapiece: I'm certain that happens. It's just my experience with it. I'm certainly not passing any judgment on the practice; it's just that this is my experience.

Issues of transparency and accountability are certainly issues or things that we face every day in government, something that, at times, is thrown about as these words are used lots of times when they don't really mean anything to different organizations. I wonder, sir, how you will address that.

Mr. Eden Gajraj: That's what regulation is all about. You have to keep records. You have to ensure that when you treat the patient, things are done the right way. You have to ensure that it covers all the ways that medicine, in a similar way, covers the privacy of the patient. On the board itself, you really have to be transparent and let the public know what's going on, especially being a public member.

From the practitioners' point of view, we've made rules for them on the way they should practise, the types of records they should keep, regulations and governance, what the penalties are if they—malpractice and things like that. That's what we were doing on the transitional council.

Like I said, on April 1 we were proclaimed as a college. Now, going forward, they are registering homeopaths. They're now going through the system of registration. Once they start back again—I think that will happen in the new year—the college will actually start working as a college.

Mr. Randy Pettapiece: These are great goals, sir, and I appreciate you having them in these rules. But as we've

seen in the last number of years, certainly around here, it's sometimes difficult to ask questions or get answers for questions. You've noticed how question period works. There are no answers there.

That's why I wanted to say on this subject, sir, that's it's great to have these goals, but also, the better part is implementing the rules to achieve these goals. Are you comfortable with what is there now? Or do you have some things that you'd like to change?

Mr. Eden Gajraj: I think we're fine, but we will have to change as we go along too. This is now the beginning of the operations side of things, but it will evolve. It will continue to evolve as you go along.

Remember, now that we have the homeopaths registered, they will become part of the board. They've had their election already for the practitioners, so they will be part of making the decisions going forward. Whatever we have done in the past will change as we go along, as we evolve.

Mr. Randy Pettapiece: Okay. There is some evidence of anti-vaccine messaging that has been going on throughout the province. Will the college take a proactive approach to clamping down on this type of thing?

Mr. Eden Gajraj: I am not in a position to answer that. That's homeo practitioners. I'm only there on the public side of things—public safety.

Mr. Randy Pettapiece: You've run in a number of municipal elections, I understand.

Mr. Eden Gajraj: I beg your pardon?

Mr. Randy Pettapiece: You've run in a number of municipal elections.

Mr. Eden Gajraj: If I have?

Mr. Randy Pettapiece: Yes. Have you run in a number of municipal elections?

Mr. Eden Gajraj: Yes, I ran in local elections—

Mr. Randy Pettapiece: Yes, municipal elections.

Mr. Eden Gajraj: Yes.

Mr. Randy Pettapiece: That's my background too. I was a councillor before I came down here. Do you see any conflicts of interest evolving out of this, or are you comfortable—

Mr. Eden Gajraj: Oh, I'm comfortable with that, yes.

Mr. Randy Pettapiece: All right. Thanks, Chair.

The Chair (Mr. John Fraser): Thanks very much, Mr. Pettapiece. Mr. Gates?

Mr. Wayne Gates: Good morning, sir. How are you? Just a follow-up: How many times did you run for city council?

Mr. Eden Gajraj: Twice.

Mr. Wayne Gates: Twice? How many times did you lose?

Mr. Eden Gajraj: Pardon?

Mr. Wayne Gates: How many times did you lose?

Mr. Eden Gajraj: Twice.

Mr. Wayne Gates: The only reason I asked you that is that I ran five times, and I lost four times. Don't get discouraged, was my point on that—

Mr. Eden Gajraj: Are you telling me to go again?

Mr. Wayne Gates: Usually, if you keep in there, you can get elected.

The Sarnia Observer, on July 7, said that homeopathy is one of the treatment options that naturopaths can use to treat an individual. What's the difference there? What's the tie there?

Mr. Eden Gajraj: Naturopaths do a little bit more in detail, more on the medical side of things. A naturopath can be called a doctor, and they can actually treat you—and more medical things. Homeopaths can't.

Mr. Wayne Gates: I didn't hear the last part, sorry, sir. Homeopaths are what?

Mr. Eden Gajraj: Homeopaths, first of all, can't be called doctors. They're just practitioners. They try to look at what your ailments are. As you know, in the homeopathy profession, they try to make treatments similar. If you're suffering from some ailment, they treat you with a similar type of treatment, not drugs. They can't give you drugs.

Mr. Wayne Gates: Just a question: What would be a homeopath's charges? If I go to one, how much would they charge for me to go? What would be the cost to go to one?

Mr. Eden Gajraj: I'm not quite sure about the fees.

Mr. Wayne Gates: You're not sure?

Mr. Eden Gajraj: No.

Mr. Wayne Gates: Do you believe that it should be self-regulated or regulated?

Mr. Eden Gajraj: I believe it should be regulated. Any profession in health services should be regulated, because from a public safety point of view, you don't want anyone just to open up a practice without being regulated.

Mr. Wayne Gates: Now, something that's interesting to me is, when we take a look at health care, we always talk about wait times, success rates and all that kind of stuff. Do they monitor the success rate if I go to a homeopath? Is there any kind of chart that's followed, do you know? Or is it just—

Mr. Eden Gajraj: Homeopathy has come back into practice mainly because we have many immigrants who have moved to Canada and, in the countries they come from, that's how they've been treated. They have not been going to a regular doctor, and since they've come to Canada they are looking for those same types of treatment. They believe in it. They believe that they're getting better and most of them are looking for that type of homeopathy treatment.

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In fact, I've just returned from Florida, and most of the doctors there who practise medicine also have a homeopathy practitioner in their office because of the influx of new Americans now—similar to here with new Canadians—who use that service.

Mr. Wayne Gates: So it's what they're used to and it's a trust factor as well.

Mr. Eden Gajraj: It's what they're used to and what they believe in. And obviously they've had experience in the treatments and how it works and so on and so forth.

Mr. Wayne Gates: Good. Thank you very much. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Gajraj, thank you very much for being here this morning and presenting before the committee. You may step down now. We'll consider the concurrences at the end of our meeting, and you're welcome to stay.

Mr. Eden Gajraj: Okay. Thank you so much.

The Chair (Mr. John Fraser): Thank you very much again.

Our next intended appointee is not here just yet; he's scheduled for 9:30.

I thought it may be best if we could deal with a couple of items. First of all, deadline extensions: There are a number of deadline extensions. This is the last day—that we know of—for the committee until after the break. I know that there will be some discussions with House leaders about us sitting for a day to clean up some intended appointments and get caught up, and that will be a subject of that discussion.

Just before we get to that, we did have a letter that was received last week from Peter Rossos, who was called before the committee, who has a conflict on Tuesday mornings because of his clinic. Hopefully, if the House leaders agree, we can sit on a day that would not be a Tuesday if that's fine with everybody—in other words, so we could have him here at the committee.

The deadline extensions that we have—we have four intended appointees whose deadlines are being considered by the committee that will expire during the recess. I would like for the committee to consider extending the deadlines to Tuesday, February 16, 2016, which is our first meeting of the new year. Those four appointees are: Cal McDonald, nominated as member, Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario; Mark Sakamoto, nominated as chair, Ontario Media Development Corp.; Peter Rossos, nominated as member, eHealth Ontario; and Elizabeth Wilfert, nominated as public member, Council of the Royal College of Dental Surgeons of Ontario.

Would the committee agree to extend all of these deadlines to February 16? Is everybody agreed? Thank you very much. So we've got all those things.

As we are waiting, as the Clerk is informing me, perhaps we could consider the concurrence for Mr. Gajraj. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Eden Gajraj, nominated as member, Council of the College of Homeopaths of Ontario.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

Congratulations, Mr. Gajraj. Thank you very much again for being here today.

MR. ERNEST MURRAY LINDO

Review of intended appointment, selected by official opposition party and third party: Ernest Murray Lindo, intended appointee as member, Ontario Electricity Financial Corp.

The Chair (Mr. John Fraser): Our next intended appointment is Ernest Murray Lindo, nominated as member, Ontario Electricity Financial Corp. Mr. Lindo, can you please come forward. Thank you very much.

Thank you very much for being here today and appearing before the committee. You'll have time to make a brief opening statement. Any time that you use will be taken away from the government's time for questions. You'll be asked questions by members of all three parties. Again, thank you very much for being here this morning. You may begin. Proceed.

Mr. Ernest Murray Lindo: Thank you, Mr. Chair, and good morning. It's a privilege to have this opportunity to appear before the committee and introduce myself and answer any questions that you may have.

By way of background, I'm a chartered professional accountant. I've been working in the Ontario public service for over 33 years, in a number of financial management positions, including the past five years as the provincial controller for Ontario. During my career I also served as a chair of the public service's Finance and Business Management Council and as an associate member of the public service's Chief Administrative Officers' Forum. I should note that, thankfully, I've also retired this past October, so just keeping that in mind.

Mrs. Marie-France Lalonde: Congratulations.

Mr. Ernest Murray Lindo: Thank you.

I'm currently also a member of the Public Sector Accounting Board, which sets the financial reporting and accounting standards used by public sector organizations, including the Ontario Electricity Financial Corp. and governments across Canada. PSAB is an independent public sector accounting standards setting body established by the former Canadian Institute of Chartered Accountants, which is now CPA Canada. The board members are all volunteers from across the country, including deputy ministers of finance, controllers general, legislative officers, prominent public accountants with public sector experience, chief financial officers of local governments, government organizations, academics, and other senior government executives and experts in the public sector accounting arena.

PSAB's efforts, effectively, are in providing high-quality accounting standards that contribute to transparency and usefulness of public sector financial statements for governments, and help the public in understanding those financial activities and ensuring that there's overall good transparency over finance and non-financial performance.

As the provincial controller, I provided the accounting and financial management advice to government and its ministries, and led the preparation of the annual public accounts, which included consolidated financial

statements of the province and the annual report for the finance outcomes and results of the government's activities for that fiscal year.

I was also responsible for ensuring that the effective control framework for financial reporting was in place and regularly tested. Given the integrity of the public accounts depending heavily on the accuracy and reliability of the government's financial systems, the effectiveness of the framework was paramount. The Office of the Auditor General is also consulted on this framework regularly, and her office uses that framework to support their efforts in auditing the public accounts.

Last spring, I was appointed as a member of the board of directors of the OEFC while serving within the OPS. I should note that due to my retirement, of course, I had to resign from that appointment, hence why I'm here today to seek your approval for reappointment. While I was on the board I was appointed as the chair of the audit committee and was responsible for helping the board to ensure completeness of the OEFC's 2014-15 financial statements. That responsibility included working with the Auditor General and her staff to help address any questions about the statements.

My experience and understanding of the province's financial statements and related accounting treatments were seen as an important asset to the board in assessing the OEFC's own financial reports. That, together with my experience and knowledge of the control strategies and risk management processes, enabled me to provide the required expertise for the board's mandate.

Therefore I believe that my reappointment will continue to be of value to the board in its oversight and responsibilities at the OEFC. Thank you.

The Chair (Mr. John Fraser): Thank you very much. Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you, Chair. Good morning.

Mr. Ernest Murray Lindo: Good morning.

Mr. Randy Pettapiece: You were a provincial controller, as I understand?

Mr. Ernest Murray Lindo: That's correct.

Mr. Randy Pettapiece: As part of your job, are you responsible for providing financial management policy advice to the government? Would this be true?

Mr. Ernest Murray Lindo: What I would provide as the controller is the understanding of the implications of the policies that they took, in terms of how it would show up on the financial reports of the province; so, how we would account for that transaction.

Mr. Randy Pettapiece: Did they listen to you?

Mr. Ernest Murray Lindo: Yes. Again, I would say, in terms of looking at options, you have choices and outcomes. As part of that, they would understand what the outcomes are. If there were any concerns, I mean, I'd obviously talk with the Auditor General as well. She and I had a great working relationship in terms of interpreting how these things would work. If it was required, we'd speak to the individuals together in terms of what the expectations would be. So there was a clear understanding

and good communications that went on about those transactions and policies.

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Mr. Randy Pettapiece: It's interesting to me—I'll use that word—that this government has doubled the debt of this province. We're still in deficit. It's out of control, actually. A lot of opinions say that it's out of control. It's what I would consider irresponsible financial management by the government. Do you have any analysis of our economic statement that you'd like to put forward?

Mr. Ernest Murray Lindo: The latest economic statement—I've just briefly skimmed over it; I haven't had a chance to go through it just yet. I appreciate that the debt is growing. The mechanics of it, of course, articulate the fact that if you have a deficit, obviously you have to borrow money to finance the deficit, and until the deficit is reduced to zero, only then, when you turn surpluses, can you start to bring the debt down. They go hand in hand in that respect. Technically speaking, yes, debt will continue to grow until we can get out of deficit for—

Mr. Randy Pettapiece: I understand that, but as we've seen in the last number of weeks with what's going on with the Hydro One sale and this type of thing, there seems to be no urgency on the government's part to get rid of the deficit. In fact, it's been said by many that it's not going to happen in 2018; I believe that's when they say the deficit is going to go. Have you been involved in discussions with them, saying that this is maybe a target that's not going to be there?

Mr. Ernest Murray Lindo: No, this is not something that I would be technically involved in.

Mr. Randy Pettapiece: Okay.

Mr. Ernest Murray Lindo: There's sort of a fiscal management which would deal with the debt and deficit projections. Mine was more on the financial reporting and how the transactions and actions of the government would be accounted for in the financial statements at the end of the year. So anything during the budget, if they want to know how this would show up—would it be an expense for the period or not?—that's where I would weigh in and advise, but not in terms of providing advice—

Mr. Randy Pettapiece: Again, did they listen to you?

Mr. Ernest Murray Lindo: Oh, yes, of course, because otherwise you'd—

Mr. Randy Pettapiece: Did they take your advice seriously?

Mr. Ernest Murray Lindo: In terms of the accounting, absolutely, because otherwise if it didn't get accounted for correctly, the Auditor General would be qualifying the statements. So we have to make sure that the statements are properly reflecting the transactions—

Mr. Randy Pettapiece: She certainly qualified a few statements last week.

Mr. Ernest Murray Lindo: I think she was qualifying some of the outcomes. I don't think she qualified the financial statements of the province. As a

matter of fact, we've had 22 years of clean audit opinion on the financial statements—

Mr. Randy Pettapiece: I think this is kind of a little line we're stating here and there, because financial advice goes hand in hand with financial outcomes, I would think. It's very close.

Mr. Ernest Murray Lindo: Yes. You can argue what the decisions around that are. Government will have policy and direction it wants to undertake and outcomes it's looking for. What my advice was providing is an interpretation of those actions and how it would show up as a financial result. So my advice was to say, "What are the choices you have from a financial result perspective?"

Mr. Randy Pettapiece: If you think the government was making the wrong choice, would you jump in and say, "You're going the wrong way"? Could you?

Mr. Ernest Murray Lindo: It depends on what they're trying to deal with. If they're making a bad choice on the financial statements and it would lead us to a qualification, absolutely. If it was a policy choice that there's an outcome they're aiming for, no, I can't interfere with policy. That's not my scope or mandate.

Mr. Randy Pettapiece: You can't interfere with policy. You can influence, though, if you felt strongly about something.

Mr. Ernest Murray Lindo: I think, from my perspective, the influence would be related to what the financial reporting outcomes are.

Mr. Randy Pettapiece: Okay.

Mr. Ernest Murray Lindo: Government has its own prerogative as to whether it wants to go a certain path or not on policy.

Mr. Randy Pettapiece: This government has also begun the sale of Hydro One. It's one of our largest public assets, and the process has been far from transparent and accountable, as they like to use those words. As the individual responsible for safeguarding Ontario's assets, I'm interested in your comments on this sell-off.

Mr. Ernest Murray Lindo: Well, in terms of the Hydro One transaction, while I was in the role of the provincial controller, we had a look at the proposal and the different options they were considering in terms of actually proceeding with the sale. As part of that process, we looked at it to understand what would be the implications from an accounting perspective, what it would mean on the financial statements, not only today but over the next several periods, and identified certain transactions and what would be tipping points, as we looked at it, to say, "Technically speaking, if you go down too far, you will no longer have, from an accounting perspective, control over this asset and, as a result, the accounting will change. You'll have a different financial outcome."

So looking at that advice, the government made some choices as to whether it wanted to do a full, outright sale or get down to almost no ownership. Obviously, it has chosen a different path in order to help maintain the fiscal outcome that they're looking for. That's technically my involvement with that sale. It's just understanding the options and what the accounting results would be.

My office did bring in external advice to test our position. Then we also sat down with the Office of the Auditor General and walked her staff through it to get concurrence on what the outcomes would be. As a result, that's what was taken back to government, to say, "This is technically how it should be accounted for."

Mr. Randy Pettapiece: The Ontario Electricity Financial Corp. manages the former Ontario Hydro's debt and liabilities. We know that enough has been collected through the debt retirement charge to have paid off a residential stranded debt in 2011, yet this fee is still on hydro bills. Sir, as a member of the OEFC, how do you pledge to make things more accountable and transparent concerning this type of thing?

Mr. Ernest Murray Lindo: I think a couple of things have happened over the past three or four years. One of them, obviously, is having the Minister of Finance declare what the stranded debt and the debt retirement charge implications are. That is an annual thing that occurs. I believe the last statement was done in March 2015.

As a result of changes with the Hydro sale, I believe they made commitments as well to use a lot of the proceeds associated with the sale—I would say the book value associated with that sale—to help apply to the stranded debt and bring it down.

Technically speaking, you had an asset, and a lot of the debt was based on building up that asset, so if you used that asset's proceeds, you'd want to pay off the debt associated with it. That's technically what I understand is happening.

Mr. Randy Pettapiece: You can understand, sir, that when the debt was first announced—at least since I've been here, which has been since 2011—it was around \$8 billion or something like that. Those numbers keep changing; it's a moving target. You have to be a little skeptical—at least, I am—as to where those numbers come from and whether it was truthful in the first place or whether they're collecting more money to go here, or whatever else.

I would think it's difficult, sir, as a consumer, to keep paying this thing when it was supposed to have been paid off a number of years ago, and this number keeps changing. It's a moving target, sir.

Mr. Ernest Murray Lindo: So what I understand is—and the way the officials who calculate this—it's looking at a future value of a revenue stream that would come from the income that we would receive from the hydro sector to help pay towards the debt, as well as any of these debt retirement charges, which fluctuate based on usage. Your debt retirement charge bill will change month to month, depending on how much electricity you use. Based on that future value, then they take a point in time and project.

In a subsequent period, if those revenue streams didn't pan out, or fluctuated significantly, then you'd have to re-evaluate what that stranded debt would be. It's like a net present value of the outcome of all of those activities, and

that will change from period to period, depending on how you measure things.

Mr. Randy Pettapiece: This maybe should have been explained a little bit better as we went forward, because, like I say, as a consumer, I'm expecting this number because the government told me so, and I'm supposed to believe them. Then you get another few billion dollars added to it a year or two down the road. It makes it very difficult to trust what the government says, concerning these types of things.

That's why I asked you previously: Does the government ever take any of your projections seriously, when this stuff comes out?

The Chair (Mr. John Fraser): You've got 14 seconds.

Mr. Randy Pettapiece: Thank you, sir.

Mr. Ernest Murray Lindo: Thank you.

The Chair (Mr. John Fraser): Mr. Gates?

Mr. Wayne Gates: Good morning, sir. How are you?

Mr. Ernest Murray Lindo: Great, thanks. How are you?

Mr. Wayne Gates: Good. I've got a few questions here; I'll read them out. Hopefully, I'll read them slowly enough, because I have trouble understanding. You were talking relatively quickly.

Mr. Ernest Murray Lindo: I'm sorry.

Mr. Wayne Gates: The OEFC has no employees. It is not actually a company. It is more of an accounting procedure than a corporation. Could you please explain what an OEFC board member does?

Mr. Ernest Murray Lindo: The OEFC board is made up of primarily civil servants. They're appointed to this board to help provide an oversight function in terms of the management of the stranded debt.

There are a number of players that are involved. There's a financing authority, the Ontario Financing Authority, that's administering this debt on behalf of the province. That finance authority has a management team that deals with all of the debt instruments and the choices of term for the debt etc.

There is also an arm that deals with the NUGs, as they call them. I'm trying to remember the exact definition of the term. These are utility generators that have contracts that were associated with the original Hydro. Those contracts are very long in term length, so the management team is constantly negotiating when they have to do adjustments to things dealing with rates that they're dealing with on paying for the utilities.

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All of those actions are brought to this board to then understand whether the choices they're making are appropriate and whether they have good due diligence on risk management. So a lot of it has to do with evaluating borrowing trends and risks associated with interest rate changes etc., and what's the more appropriate cost mechanism. Do you go long-term? Do you go short-term etc.? You're bringing in what I would say are financial experts from across the organization to take a look at this and understand what's happening.

Mr. Wayne Gates: Did you advise them to do long-term contracts?

Mr. Ernest Murray Lindo: No. These contracts were established long before I was there. I should reiterate that I've been there since the spring, so it has been two board meetings. I haven't had a lot of involvement with them but—

Mr. Wayne Gates: Well, I just thought I'd—I don't know. I did contracts for a living. I just think when you get into a long-term contract, you end up in the mess you're in today, but that's only my thinking.

Mr. Ernest Murray Lindo: There are benefits, pros and cons, depending if you can price-fix for a good deal.

Mr. Wayne Gates: I appreciate that.

As an OEFC board member, are you independent or do you take direction from the Minister of Finance, the Ontario Financing Authority or anybody else? I guess my question is in relationship to the first question I asked: Do you have a boss?

Mr. Ernest Murray Lindo: Not now, no. Beforehand, technically no, not from a board perspective. When you're sitting as a board, you need to maintain an independence from the actions of, say, the Minister of Finance. You're there to provide a response back if you believe it's not in the best interests of the corporation, so as a board member, you need to make sure that it's the corporation that comes first in terms of its management and effectiveness. So no, we are independent, and that's something that I've certainly strived to maintain.

Mr. Wayne Gates: Okay. This is a relatively long question. I'll read it out. Ontarians have paid about \$1 billion a year in debt retirement charges for more than 13 years to retire a stranded debt of \$7.8 billion. Yet, the stranded debt is still around. In fact, last year, Ontarians paid \$956 million in debt retirement charges, but only \$400-million worth went to the stranded debt. If Ontarians paid nearly \$1 billion in debt retirement charges last year, why didn't this money retire \$1 billion worth of the stranded debt?

Mr. Ernest Murray Lindo: Okay, maybe just come back to a previous question on a similar matter: That stranded debt value changes from year to year. The amounts that are collected are forecasted into what that stranded debt value should be at the year end. If the amounts collected were insufficient, and it's not just the DRC charges that are part of the process, it's also the income from the electricity sectors as well as payment for what's called PILs, which is payment in lieu of taxes. If those amounts came in less, then obviously you would not have a net result of the stranded debt showing the full impact, but just simply, \$900-odd-million being paid. You'd still have a different value, at the end of the day. So there are a number of factors that need to be weighed into that. All of that money would have gone to the stranded debt, but the end result is that other income may not have been there sufficiently to address it, so one is filling the gap of another, essentially.

Mr. Wayne Gates: It's one of the reasons why I love talking to accountants. My son-in-law is an accountant.

All I know, as a guy that does his job every day, is that if I collect \$1 billion and only put \$400 million on that debt, \$600 million went somewhere. The people of Ontario who are paying that bill every month—and struggling to pay it, sir, by the way—think that's where that money is going. I guess you can come up with an accountant's answer for whatever reason, but I think if you look at the guy that's on the street, he certainly doesn't understand what you're saying. I just didn't understand that.

This is another one that is an accountant question that I'm sure you will enjoy.

Mr. Ernest Murray Lindo: I'm sure.

Mr. Wayne Gates: Well, he's an accountant. You've got to ask an accountant an accountant question.

The Chair (Mr. John Fraser): I know. It's a good question.

Mr. Wayne Gates: I think that's fair, right?

The Chair (Mr. John Fraser): It's not the question; it's just the way you're asking it.

Mr. Wayne Gates: We don't all have to understand it, but we can ask the question.

The government recently paid a \$2.6-billion departure tax bill owed by Hydro One. But we were told by the Minister of Energy that cash-wise, this transaction was a wash and no money would actually leave the treasury. It appears that this \$2.6-billion payment was not in cash, but just another IOU. Is it possible that this \$2.6-billion departure tax payment will not actually reduce the OEFC's debt? Is the \$2.6 billion actual debt or is it not an unfunded liability, stranded debt or other abstraction?

Mr. Ernest Murray Lindo: From what I understand of the departure tax, this is a process for any utility that's leaving that environment. To pay a departure tax is part of the process of the system. The implications of Hydro One leaving the system—the government, I believe, didn't want to interfere with its ultimate business value, so the government made a payment towards Hydro One to keep them whole in terms of the process of the payment, but the company then, of course, made the payment back.

Technically speaking, no money has left the government, nor has any new money come to the government, essentially. So yes, you're right. It's an accounting non-cash transaction. There is such a thing in the accountants' world—non-cash—where it simply is a bookkeeping entry.

Mr. Wayne Gates: So accountants are very creative. Is that why you need them?

Mr. Ernest Murray Lindo: You need accountants to interpret the outcomes of whether there's actually anything leaving the family—if you want to call it that, the government reporting entity. If you're going to spend money outside the government reporting entity, yes, that's an expense; money is going outside. If it's just money shuffling around amongst one pocket to another—essentially, you're giving it to your brother or sister and you're still in the same family—the family net worth

hasn't changed. It's just an accounting entry from that perspective. It will get eliminated.

Mr. Wayne Gates: Here's a question. I'll be very clear, and I have been very clear, so I'm not talking out of school here. I don't believe that we should be selling Hydro One, whether it's 20%, 40% or in this case the government is looking at 60%. I still believe that you'll lose control when you've gotten rid of 60%, but that's my opinion.

You're an accountant. You know that this year—we'll use this year as an example because in other years, in your world it would change—it was \$750 million that went to the province to pay for roads, health care and education. For the next hundred years, you would probably get at least \$750 million. Once you sell it, all that money goes away.

With you being an accountant, how can you explain to me that it's in the best interests of the people of Ontario to know that you're going to lose \$750 million every year for the next hundred years for a short-term gain of maybe—I'll just shoot a ballpark figure—\$3 billion? It doesn't make sense to me. It doesn't make sense to anybody, but maybe you could explain it to me in accountant terms so it would help me.

Mr. Ernest Murray Lindo: In terms of the choices of the revenue streams, I understand that, when you get down a 60% value that you've sold, you'll still have the remaining portion of that income. So there's an apportionment of that \$750-million figure that you're using which would still continue on.

Yes, there would be a revenue decline from the company as a result. At the same time, what you're doing is taking the value of that asset and paying off the associated debt. There are also interest charges on that debt of a significant value. I wouldn't say that it's necessarily one-to-one, but over a longer term, you want to ensure—this is part of the process. What I'm hearing from the committee is that we have got a debt issue and we need to pay down our debt. Yes, we can do it through converting those assets that have built up the debt and pay down the debt associated with that, as well.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates—

Mr. Wayne Gates: Aw, I had one hot question. You jumped on me.

The Chair (Mr. John Fraser): Yes, well. Sorry.

Mr. Wayne Gates: Come on, John. Do me a favour. Let me do the hot question.

The Chair (Mr. John Fraser): No, I have to be fair and impartial. Thank you very much, Mr. Gates.

Mr. Wayne Gates: My pleasure. Thank you, sir.

Mr. Ernest Murray Lindo: Thank you.

The Chair (Mr. John Fraser): Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Mr. Lindo, for being here today and thank you for applying to do this next function. I don't specifically have a question. I think the opposition has exhausted all the questions. I just want to say, thank you for your time served in the public service.

I'm confident, seeing your resumé, that you'll continue to do great work for the people of Ontario. Thank you.

Mr. Ernest Murray Lindo: I look forward to it. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Mr. Lindo, thank you very much for being here this morning. You may step down and we will consider your concurrence right after you step down. You're welcome to stay in the room.

Mr. Ernest Murray Lindo: Fantastic. Thank you very much.

The Chair (Mr. John Fraser): Thank you very much.

Mr. Wayne Gates: Can we get a recorded vote, please?

The Chair (Mr. John Fraser): Sure, yes. There will be a recorded vote.

We'll now consider the concurrence for Ernest Murray Lindo, nominated as member, Ontario Electricity Financial Corp. Do I have a nomination?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Ernest Murray Lindo, nominated as member, Ontario Electricity Financial Corp.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion?

Ayes

Bailey, Dhillon, Lalonde, Malhi, Martins, Pettapiece, Rinaldi.

Nays

Gates.

The Chair (Mr. John Fraser): Carried. Congratulations, Mr. Lindo. Thank you very much again for being here this morning. Seeing as there's no further business, the meeting is adjourned.

The committee adjourned at 0951.

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Mercredi 27 janvier 2016

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Wednesday 27 January 2016

Mercredi 27 janvier 2016

The committee met at 1302 in room 151.

The Chair (Mr. John Fraser): Welcome back to public appointments. Thank you all for being here today and for being here for this session to help us get caught up.

SUBCOMMITTEE REPORTS

The Chair (Mr. John Fraser): To start our business today, we have got three subcommittee reports that need to be considered.

We'd like to consider the first subcommittee report dated December 10, 2015. Do I have a motion? Mr. Gates.

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, December 10, 2015.

The Chair (Mr. John Fraser): Any discussion? All in favour? Opposed? It's carried.

We have a subcommittee report dated December 17, 2015. Do I have a motion? Mr. Gates.

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, December 17, 2015.

The Chair (Mr. John Fraser): Any discussion? All in favour? Opposed? Carried.

We have a subcommittee report dated December 23, 2015. Mr. Gates?

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, December 23, 2015.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MR. MARK SAKAMOTO

Review of intended appointment, selected by official opposition party: Mark Sakamoto, intended appointee as chair, Ontario Media Development Corp.

The Chair (Mr. John Fraser): We have five intended appointments to consider today. We'll begin with our first intended appointment: Mark Sakamoto, nominated as chair, Ontario Media Development Corp.

Mr. Sakamoto, please come forward. Thank you very much. Thank you for being here. You will have a chance to make a brief opening statement. Any time that you use

will be taken from the government's time for questions, and the questioning will start with the third party. You may begin, Mr. Sakamoto.

Mr. Mark Sakamoto: Thank you very much, everybody, for the opportunity to appear before you today.

I have spent my whole life, it feels, in the entertainment industry. My family promotes concerts. Growing up, I worked closely with them, doing everything from selling T-shirts to assisting in the production of some of the country's largest productions, most notably with a certain new country sensation hailing from Timmins, Ontario. It turns out she did all right. It was on the bus tours that I learned some of my most valuable business lessons.

I was called to the bar in 2004, moved to Toronto, and worked at Heenan Blaikie, mostly with the firm's entertainment group, which focused on arranging credit facilities for film studios. I then moved to work for the CBC, working in the business unit, which negotiated all of the development and production deals for the CBC. In 2014, I was privileged to write my first book, a work in non-fiction, which HarperCollins was kind enough to publish. With a team of incredibly talented folks, I help operate a software company that creates and distributes cloud-based educational content. We have about 100 employees in Toronto with clients throughout Canada, the US and the EU. On a personal note, my wife is a modern dancer and teacher, so arts and culture have surrounded me professionally and personally all my life, and I'm very grateful for that fact.

The OMDC is an organization that is very near and dear to my heart. I have served on the board since 2008, serving as the chair of the strategic planning committee for four years. It's an organization that is incredibly well run by a group of people that care deeply about the health of Ontario's entertainment industry and the role they play within it. The OMDC's mission, quite simply, is to drive job creation, economic growth and innovation. In terms of results, the proof is in the pudding, and so here are a few salient facts that we should all be very proud of: Ontario's film and television industry contributed \$1.3 billion to the provincial economy in 2014. That's the fourth year in a row that it exceeded the \$1-billion mark. Film and TV production activity accounted for almost 30,000 jobs in Ontario. Overall, Ontario's entertainment and creative cluster is a key driver of direct economic value, employing over 300,000 workers and generating

over \$12.4 billion in direct industry GDP. So arts and culture is big business for the province of Ontario.

The OMDC does operate in a truly globalized world. Film studios, recording studios and artists of all genres have the ability to be very mobile with their capital and their respective talents. Within the creative industry, Ontario needs to be extremely aware of what's happening in India and South Africa, as aware as to what's happening in North America. The OMDC serves the province of Ontario by ensuring that we maintain that competitive environment in a jurisdictionally promiscuous industry. Ontario is the third-largest media market in North America, with only LA and New York ahead of us.

But finally, I think it's important to move past the raw data—move past just the jobs and the money, although those are both extremely important, because they don't tell the whole story. A society that enjoys a thriving artistic community is freer, it's happier and it is more inclusive. Selfishly, for all Ontarians, in a highly globalized economy, a robust artistic community attracts the best and the brightest from all economic sectors. Our culture is our strongest asset. People want to share it. They want to live here, they want to create jobs here and they want to raise their families here. And so, if I can contribute in any modest way to nurture and promote that, it's something that I would be quite honoured to do and something I'd take very seriously.

I thank you all very much for your time and I welcome any questions you may have.

The Chair (Mr. John Fraser): Thank you very much, Mr. Sakamoto. Mr. Gates?

Mr. Wayne Gates: Thank you very much. Mark, how are you doing?

Mr. Mark Sakamoto: I'm just fine, sir. How are you?

Mr. Wayne Gates: I'm very good, thank you.

Given the consistent and often rapidly changing landscape of arts and culture in Ontario, what steps is the Ontario Media Development Corp. taking to identify, cultivate and assist in emerging trends and/or artists in Ontario?

Mr. Mark Sakamoto: Thank you, Mr. Gates. I think it's a wonderful question. In the industry, we'd always say, "The future is coming, the future is coming. Digital is coming, digital is coming." It's not true anymore. It's here. The OMDC, I think, has done a very good job at ensuring that the funds they administer are done so in a very flexible manner. They really try to stay on top of the industry trends, how production is being created, distributed, monetized, and work closely with the industry to try to ensure that the manner in which the funds are set up is done in a way that reflects the reality today. I think the industry, for the most part, would say that the organization has done a very good job at doing that.

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One example of something that the OMDC has pressed very hard for is the interactive digital media side of the equation. We work closely with screen producers, books and magazines, but we've tried to ensure that the

digital side of the equation is really at the forefront of our minds. The increases in the digital media fund have gone a long way in ensuring that the future is being looked after.

Mr. Wayne Gates: Okay. Having said that, do you believe that's enough?

Mr. Mark Sakamoto: Well, there's always room for improvement. I'm half Japanese and my favourite word is "kaizen." It's constant improvement. Certainly investment in arts and culture is a great investment for (1) our economy and (2) the broader aspect of the economy, but I also recognize that we're operating in a very constrained fiscal environment, so we squeeze as much out of every penny as we can.

Mr. Wayne Gates: That's interesting. I'm actually out of the auto industry so that was a word that we heard quite a bit when we were trying to make ourselves more competitive in the industry: "Continuous improvement; continuous improvement."

Mr. Mark Sakamoto: Kaizen. Yes, exactly.

Mr. Wayne Gates: So I certainly understand that word.

Does the OMDC have specific programs, or a set of programs, available to assist in the promotion of arts and culture in Ontario? We see the big headlines in Toronto all the time, but right across the province of Ontario there are lots of opportunities for jobs, for tourism, lots of things that we can do, but we seem to be left behind in some of our smaller communities in Ontario, even with some of our nationalities.

Mr. Mark Sakamoto: Thank you very much for that. I'm glad you asked that question. I actually wanted to raise it in my opening remarks but I felt I was running a little short on time.

I think it's true. We're very fortunate. It's a good-news story that Toronto has reached a critical mass and is one of the real drivers in the global economy for arts and culture. That's a good-news story but I think that we need to make sure that folks who have the talent to succeed can do so in other parts of Ontario as well. That is actually the case.

Your riding is Niagara, I believe. Keyframe Digital is based in Niagara-on-the-Lake. They are one of Ontario's most successful animation companies. I think that we need to build on successes like that.

They are out there and we need to ensure we don't take just a Toronto-centric approach. I think that we need to make sure that there are folks out there who can receive funding and support throughout Ontario.

Mr. Wayne Gates: Yes. I think you would probably agree with this: We have lots of talent around; they just need some support in some cases. For some it may be funding, for some it may just be people going to the Shaw Festival and taking in the theatre and growing from there. You mentioned Niagara-on-the-Lake. That's actually where the Shaw Festival is as well.

In my community, we have the Arts and Culture Wall of Fame. Once a year they would honour people who have given their lives or have done something for arts and culture.

I just believe there's a lot more we can do, and you touched a little bit on it—we don't look at it enough—the number of jobs that are tied to it. When you have high unemployment in some of the communities across Ontario—maybe you can talk about that, on how we could put more people to work using the talents that they have.

Mr. Mark Sakamoto: Sure. First off, we do enjoy an abundance of riches throughout Ontario. We're all very fortunate for that. I actually haven't seen the wall of fame, so I need to check that out.

I think that where you do find success, success can beget success—so let's just stick with Keyframe Digital. You get these hubs. If there is a group of 12 folks who are really doing exceptionally well, two more folks might say, “Well, I can set up a shop here and live in this community and be a part of an industry that's global. I can do that from Niagara-on-the-Lake,” or wherever the case may be.

I think in today's world, while the digitization of the industry has been seen as a threat in some regards, it's also a huge opportunity. There are new avenues of distribution that really are location-agnostic. Netflix doesn't care where you are. So that's a really interesting new avenue, an opportunity for organizations, companies and talent that want to live in smaller centres.

From an OMDC perspective, what can we do? I think one of the things is identifying those centres of excellence, those companies that are really doing exceptionally well, and reaching out to them and seeing how they can perhaps even become leaders in their own community and supporting them in that. That doesn't even necessarily mean direct funding. That can be conferences. That can be ensuring they are brought in to fairs, trade organizations, export missions, all of these sorts of things that really help business development.

Mr. Wayne Gates: Do I have time for one more, John? Are we okay?

The Chair (Mr. John Fraser): You've got a little bit of time, yes. You've got two minutes.

Mr. Wayne Gates: Okay. In the 2015-16 fiscal year, the film industry in British Columbia is expecting to beat all its records for the amount of money being spent on production, to the tune of more than \$2 billion—it's a lot of money—over the last fiscal year. Is the OMDC expecting similar positive results for the Ontario film industry in the fiscal year 2015-16? And what steps is the OMDC taking to try to attract more movie production to Ontario, and is our low dollar helping?

Mr. Mark Sakamoto: All good questions. Thank you very much.

It's tough to have a crystal ball, but I think that those numbers are at least in the neighbourhood. I think if you want to do a comparison between BC and Ontario, I would actually pick Ontario year over year. You're going to have spikes in British Columbia because they're so close to LA, but it's really important to note that the lion's share of that money, that \$2 billion, is American dollars, so that's very flexible. Hollywood studios will

move. They have entire accounting departments that say, “No, we're going to Estonia,” or, “We're going to Johannesburg.” So Vancouver and BC are getting a great uptick because of the dollar, for sure, but that is not as permanent a revenue stream as Ontario has, I would argue. While we do a lot of runaway production out of Hollywood and our studios and crews are top-notch, we also have the added benefit of having a significant, serious, sustainable domestic film and television market, as well, that doesn't fluctuate as much.

Is the dollar helping Ontario? Absolutely, it's helping. Are we doing enough outreach? I think so. The Premier was just down in California. The minister has been down there now, I think, on several occasions. The OMDC has a partnership. We have an LA office. It's a very small staff, but they help with scouting; they help with promotions. They help connect Hollywood studios to certain avenues here, opportunities here, scouting locations here, talent here. So I think that we have a pretty sustained presence.

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The Chair (Mr. John Fraser): Mr. Sakamoto, that's all the time we have for this line of questioning.

Mr. Mark Sakamoto: Thank you very much.

The Chair (Mr. John Fraser): Thank you, Mr. Gates. Ms. Martins?

Mrs. Cristina Martins: First of all, I wanted to welcome you, Mr. Sakamoto, here to Queen's Park. As your MPP, thank you for representing Davenport here so well this afternoon.

I'm not sure if you wanted to, first off, just finish your response to Mr. Gates, if you had anything else that you wanted to—can I allow him to do that?—if you have anything.

The Chair (Mr. John Fraser): Sure.

Mr. Mark Sakamoto: That's kind of you. I think I answered the question as fully as possible.

Mrs. Cristina Martins: Did you? Okay, perfect.

I wanted to, first of all, thank you for being here this afternoon and for the work that you have done already as a member of the Ontario Media Development Corp. I think that, since 2008, you've been an active member. I think you're right in terms of Ontario's film and TV arts and culture really being sustainable here in Ontario. We've got a \$1.3-million industry here in place, creating a lot of jobs.

I represent Davenport and it is a very active arts/culture-based type of a riding. When you talked earlier about culture as our strongest asset and that when there's culture, we have communities that are freer, happier and more inclusive—I like to think of my riding as exactly that.

I guess my question to you today is, given your experience on the board already and your experience in this particular sector, what can you tell us about some of the opportunities that you see for the Ontario Media Development Corp.?

Mr. Mark Sakamoto: I think we're really heading into such an interesting time in the industry, where the

industry is really merging. It's becoming increasingly difficult to tell whether a magazine is a magazine or is it a website or is it—the business models are changing so quickly.

It's a really exciting time to be at the forefront of that and I do think that the OMDC has positioned itself in a really strong manner, in the sense that they have tried, as best as a government agency can, to really ensure that they're enabling as flexible a model as they can.

From my perspective—if you guys deem it so—chairing the OMDC, knowing how flexible and lean and efficient they've been, it becomes a really exciting challenge to see how we can take it even to the next level. It's not going to take me a couple of years to figure out, "Oh, wow! These guys are really terrific." I'm there today.

Thinking about how we can become faster, leaner, more efficient, more responsive to the industry is a really exciting prospect for me.

Mrs. Cristina Martins: Thank you so much, Mr. Sakamoto. I wish you the best of luck and thank you for being here this afternoon. I don't have any further questions, if my colleagues want to share some airtime.

The Chair (Mr. John Fraser): Ms. McGarry?

Mrs. Kathryn McGarry: Is there much time left?

The Chair (Mr. John Fraser): You have a minute.

Mrs. Kathryn McGarry: Okay. I was actually having a tour this morning in the Port Lands and, lo and behold, some of the buildings down there are actually really vibrant filming locations. Can you speak to the filming industry, in particular, in Toronto, and how that benefits the city and also the province?

Mr. Mark Sakamoto: Oh, absolutely. From an economic perspective and from a jobs perspective, it is a huge driver. To the point of Mr. Gates: We are talking about billions of dollars. In many economic silos, where you're looking at a status or even decreasing in productivity, this is a space in the economy that is only growing. I think it's one that it behooves us to double down on.

The activity that's happening in the Port Lands is a great example of that, both from a major corporation perspective—some of North America's finest studios are in that neighbourhood—and even down to small recording studios and small television producers. I think that it's a really exciting opportunity for Ontario to maintain our position and even to grow our position.

The Chair (Mr. John Fraser): Thank you very much, Mr. Sakamoto. Thank you, Ms. McGarry.

Mr. Bailey.

Mr. Robert Bailey: I was looking in here at some of the responsibilities of the position. I wonder if you could give me some examples, Mr. Sakamoto, of encouraging strategic business partnerships—give you a chance to expound upon those.

Mr. Mark Sakamoto: Sure. In one of the questions, I think from MPP Martins, we were talking about how it's difficult to even determine whether a magazine is a magazine anymore. Is it a website now? What is the driving business model?

A big part of what OMDC tries to do in terms of strategic partnerships is actually using their good offices as a bridge in which different parts of the economic pie can come together and speak pretty openly about what their challenges are and what their opportunities are.

There are some terrific examples of—what's a great concrete example? From Page to Screen is an initiative that the OMDC drives, and that is taking book publishers—some large ones, but some small book publishers as well—and introducing them to TV producers and film producers, because oftentimes books are the underlying intellectual property for a film. For an author, oftentimes the option for a film or a television series is more money than the actual book advance or the total money that you would make writing a book.

It's these kinds of opportunities where those partnerships become very important for the ecosystem, one in which we try and build on that domestic economy.

Mr. Robert Bailey: Okay. Another one that I'm interested in here, and I don't think you have touched on it with anyone else—I'm aware of it by name—is Vote Out Loud. Can you give us a little sense of Vote Out Loud?

Mr. Mark Sakamoto: Sure, thank you. When I was in university, I was saddened by the lack of youth participation in the democratic process. Given the work I had done in the past with music, I had the fortune of being able to reach out to some musicians and artists. So I thought, why don't we try and put together some concerts, put together some youth-like debates—not necessarily a debate, but how about a job interview, because that's actually what the Prime Minister or the Premier is doing?

We had some concerts and we had some televised debates in more sort of youth-friendly styles and formats, and it was an organization that, looking back on it, I feel really proud we were able to get off the ground and hopefully move the needle a little bit in youth participation.

Mr. Robert Bailey: Being a former member of the OMDC and now moving in as chair, how do you see the future direction, and what areas do you really intend to focus on in its development?

Mr. Mark Sakamoto: We shouldn't be and we're not in the business of picking winners, by any means, but the thing that I really am focused on, I think, is ensuring that digital is at the forefront. Whether you're a book publisher, a record label, even in film and television, digital is this overarching theme. It's not just video games by any means, although that's a big chunk of it. We need to make sure that we, as a province and as an economy, are at the cutting edge of that, because that's where the puck is going and, in fact, that's where the puck is. So I think we just need to make sure that in all of our deliberations, from a strategic perspective, we have that at the forefront.

I think if we do that, we're going to be able to continue to drive the kind of success that I'm proud to report we've had in the past and we have today.

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Mr. Robert Bailey: Do I have a couple of more minutes?

The Chair (Mr. John Fraser): Yes, you've got about five minutes.

Mr. Robert Bailey: Well, I'll keep going.

It seems like you've got a lot of background in this. Where do you view Ontario's role in the national and international media industry—where it has been, where it is now, where you see us going down the road?

Mr. Mark Sakamoto: We're extremely fortunate in the sense that from a national perspective—Mr. Gates did raise British Columbia, which is another very strong market, as is Montreal, on the gaming side—Ontario is the place where talent comes. If you're a really funny guy or gal in St. John's, Newfoundland, you come to Toronto. If you are an exceptionally talented country singer in Saskatchewan, most of the time you find your way to Toronto, if you're not in Nashville. The talent that wants to stay in Canada is drawn to this province, and I think it's because our culture is our strongest asset. We really need to continue to ensure that we maintain that pull position. It's a huge asset for us, both economically and from a social perspective.

On the international side of things, I think there is the fact that we live next door to America—and there are some pros and cons to that. It's a really great-news story that if you were to pick a third market in North America, it's not Dallas, it's not Chicago, it's not Boston; it's right here. I think we need to continue to leverage that and do so in a way—the Premier is off to India for 10 days with a group of MPPs and business folks. Because Canada is that beacon of a country that everybody wants to come to, we have these great opportunities for really talented people, like Deepa Mehta, to live here in this province and create some of the finest films in the world. That's really incredible.

So I think from an international perspective, we can leverage how good Canada is at bringing in new folks and getting them active.

Mr. Robert Bailey: Could you talk again about the jobs? Just reiterate on the jobs directly and indirectly that are affected by the media industry and film—

Mr. Mark Sakamoto: Sure. They fluctuate, but in Ontario, from a broad perspective, the entire creative cluster is about 300,000 jobs. In film and television, it's about 30,000 gigs. It's a huge driver. I think it was Bill Clinton who said, "Always watch the trend line, not the headline." The trend line for jobs in this sector is this. What I love about it is that those people who really drive the creative industry—software developers, architects, engineers—want to be in places where they can walk down the street and go to a venue and see a world-class act. It's that culture that promotes—even if you're not in the sector, the best and the brightest will go to places like Toronto. Why? Because it's the number one city in the world. It's not me saying that; it's the Economist saying that, and I think arts and culture play a big, big role in driving that.

The Chair (Mr. John Fraser): You've got about 40 seconds.

Mr. Robert Bailey: Well, I'll just thank you for being here today. I found your presentation very interesting.

The Chair (Mr. John Fraser): Thank you very much, Mr. Sakamoto. You may step down. We will consider the concurrences at the end of our meeting today. That will likely be around 4 o'clock. You're welcome to stay. Again, thank you very much for taking the time and being with us at committee today.

Mr. Mark Sakamoto: Thank you, everybody.

MS. ELIZABETH WILFERT

Review of intended appointment, selected by official opposition party: Elizabeth Wilfert, intended appointee as public member, Council of the Royal College of Dental Surgeons of Ontario.

The Chair (Mr. John Fraser): Our next intended appointment is Elizabeth Wilfert, nominated as a public member, Council of the Royal College of Dental Surgeons of Ontario. Thank you very much for being here today. You will have the opportunity to make a brief opening statement. Any time that you use for your statement will be taken from the government's time for questioning. Your questions will begin with the government.

You may proceed, Ms. Wilfert.

Ms. Elizabeth Wilfert: Chairman Fraser, members of the committee, good afternoon and thank you for this opportunity to introduce myself. Approximately 10 years ago, less a month, I came before this committee to seek its approval to appoint me to the Council of the College of Dietitians of Ontario. Today, I am again before you requesting your approval to appoint me to the Council of the Royal College of Dental Surgeons of Ontario.

You've just been distributed a short paragraph about me, as a biography of myself in your agenda under the "witness" section is incorrect, and this is the correct version.

I know you have all seen the copy of my application and it highlights some of the many committees and boards I have been active with in my communities. But I would like to take this opportunity to elaborate on what I feel is more pertinent to your decision concerning my appointment; that is my experience with the College of Dietitians.

I served on the council for nine years. The college is small by comparison to others but in my opinion it was very well-run with high standards. I considered myself very lucky to be in such an environment driven by excellence and I learned about the regulated health care system from the best.

Unfortunately for the college, but fortunately for me, the college was often short of public appointees, so I had the advantage of serving, from one time or another, on all of the committees. Often I served on the heaviest-workload committees all at the same time. It was not uncommon for me to have served on five or six committees at once. I also had the opportunity to chair many of the statutory and standing committees.

I have an understanding of the statutory committees and what their goals and missions are; these standards are across all colleges. I understand how the committees are interconnected and sometimes a decision in one commit-

tee will affect another committee. The non-statutory and standing committees often appear to be similar in nature across all the colleges.

I am no stranger to hard work and volume of work. On occasion, I was the only public member on a committee and therefore had to participate in all of the panels, such as assessing registration or a quality assurance file. I have been known to take home a banker's box filled with files simply to review. I have taken advantage of the workshops and training sessions from the Federation of Health Regulatory Colleges of Ontario when they were made available to me.

I was honoured when asked by the dietitians on council to run as their vice-president, which I did for a total of four years. I was even more honoured when, again, the dietitians asked me to run as their president, a position in most colleges which is reserved only for the professional members and for the dietitians. It too was considered a rarity. I was the president for two years.

I am familiar with and have a working knowledge of the Regulated Health Professions Act, and I have read the Dentistry Act. I know, if appointed, I will receive a great working knowledge of the Dentistry Act compared to the Dietetics Act in my orientation, and I do see similarities. I have also viewed and read much of the well-laid-out RCDSO's website.

I am well versed in good governance practices and believe in openness and transparency. As president, I initiated a complete review and update of all bylaws and governance policies. I created an orientation binder for the executive committee—more of a tool kit, I suppose—of what they would need to know, timelines and templates, among other things.

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Under my leadership, we instituted a consent agenda for both council and committee meetings, which allowed us to be more productive in our use of time on these important issues. I made a habit of keeping members of council and committees up to date with executive actions and decisions and all other college matters with a regular email-style newsletter.

I understand that all regulated health colleges exist to regulate and support their professional members in the interest and protection of the public of Ontario, while providing ongoing tools and/or access to tools which will enable the safe, ethical and competent services provided by the professionals within their scope of practice.

I look forward to the challenges of working within the council of a larger college. I enjoy learning new things. I believe that I can bring something to the table as far as my experiences are concerned.

As politicians, I am sure you are all familiar with the phrase, "I can hit the ground running." I believe that describes me. I look forward to learning about the differences and the nuances of a new college, but I am very familiar with the goals and missions of regulated health colleges, as well as their statutory committees.

I thank you for your time and request that you agree to appoint me to the council of the Royal College of Dental Surgeons of Ontario.

The Chair (Mr. John Fraser): Thank you very much. Mr. Milczyn, you have about four minutes.

Mr. Peter Z. Milczyn: Thank you very much, Ms. Wilfert, for coming today and for offering your service, as well.

On the dietitians' college, you mentioned how you sat on virtually every committee. In your review of the college of dental surgeons, have you come to any conclusion about what committees you might want to sit on there and what kind of work you might want to engage in?

Ms. Elizabeth Wilfert: I am happy to serve on any committee. I find them all extremely interesting and they all impact one another, so I have no specification.

Mr. Peter Z. Milczyn: That was my only question.

The Chair (Mr. John Fraser): Mrs. McGarry?

Mrs. Kathryn McGarry: I had one. I know that we were talking about committees. Does that also include the subcommittees? I know there's always subcommittees.

Ms. Elizabeth Wilfert: Yes, I sat on all of the subcommittees.

Mrs. Kathryn McGarry: Can you explain some of the subcommittee work and how it related to the main committee?

Ms. Elizabeth Wilfert: There's the audit committee; there is the appointments committee, which sat and decided on which committees everyone would serve on; and there was also the legislative issues committee, which—for instance, when I first was on the council, the dietitians, if they were doing dietetic instructions, were not allowed to prick your skin, even though tattoo artists can, all up and down Yonge Street. But they were not allowed to show you how to prick your skin with the needle. Fortunately, through writing a petition to the government, that controlled act was changed for us.

Mrs. Kathryn McGarry: Well, that's brilliant. Okay. Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Mrs. McGarry. Mr. Bailey?

Mr. Robert Bailey: Thank you very much for your appearance today, Ms. Wilfert.

I've got three questions and maybe you can expand upon your background and this opportunity to serve.

Could you explain how your experience on previous boards will serve you well in this new position as a member versus chair?

Ms. Elizabeth Wilfert: Certainly. As a member, I do understand what the purpose of every committee is already. As I said, I can hit the ground running in that I'm not confused or have a misconceived idea as to that I'm going to go and tell you how much amalgam a dentist can put in a tooth. I am there to look at either registration packages or quality assurance, to make sure that the dentists keep up their studies and keep up to date with their practices.

Mr. Robert Bailey: Did the board or anybody who prepped you talk about time commitment?

Ms. Elizabeth Wilfert: Oh, I definitely know time commitment, for sure.

Mr. Robert Bailey: What kind? A day a month? Two days a month?

Ms. Elizabeth Wilfert: Oh, no. It can be far more than that, depending the committees that you're chosen to work on. There are four to five council meetings, which will be one or two days, and then you are on committees. The committees have a different amount of workload. So I'm quite prepared.

Mr. Robert Bailey: Okay. I see you've served as the vice-president and president of the Council of the College of Dietitians and you've held a number of leadership positions. So that should serve you well, in your opinion, when you go on to this dental college, which is totally different from the dietitians. Can you explain how you think that experience from the past will serve you in this new position?

Ms. Elizabeth Wilfert: Certainly the Royal College of Dental Surgeons is a far larger college, so I am quite sure that there will be differences, but our mission and goals are the same. Having known that and with my experiences—first of all, I'm very open to new things, but I do feel that I might have something to share from the dietitians' college.

Mr. Robert Bailey: I guess it goes to say they'll obviously provide training; when you go there, there will be training. They've already talked about that?

Ms. Elizabeth Wilfert: Yes.

Mr. Robert Bailey: You've explained a lot of those questions I had.

Okay, here's a good example: How familiar are you with the council's work? Do you have any preunderstanding of what you will be getting into, the work that you'll be involved in as a council member?

Ms. Elizabeth Wilfert: Yes, I do. I know that the dentists will have different goals as far as what their controlled acts are and so forth, which at this point I'm not privy to, but certainly I understand the basic workings of keeping up to date with their standards, registration, keeping the membership up and so forth.

Mr. Robert Bailey: Okay. That's it.

The Chair (Mr. John Fraser): That's it? Thank you very much, Mr. Bailey.

Mr. Gates?

Mr. Wayne Gates: Hi. How are you?

Ms. Elizabeth Wilfert: Good, thank you. How are you?

Mr. Wayne Gates: Good. I was taking a look at what you've done in your life. Congratulations. You're a retired teacher?

Ms. Elizabeth Wilfert: Yes, I am.

Mr. Wayne Gates: It says here you were a town councillor. Where at?

Ms. Elizabeth Wilfert: Richmond Hill.

Mr. Wayne Gates: Richmond Hill.

Ms. Elizabeth Wilfert: Yes.

Mr. Wayne Gates: How did you enjoy that?

Ms. Elizabeth Wilfert: I did, very much. Thank you.

Mr. Wayne Gates: The last one I saw that really jumped out at me is that you were elected to the hydro commission.

Ms. Elizabeth Wilfert: Yes.

Mr. Wayne Gates: As you know, hydro has been talked about a lot in the province of Ontario lately.

Ms. Elizabeth Wilfert: Yes, it has.

Mr. Wayne Gates: I was not a teacher, but my wife was; she's a retired principal. I was a city councillor, and I sat on the hydro board as well. That's one of the reasons why I strongly oppose the selling of it, but that's something that maybe me and you could have a talk on one day.

Ms. Elizabeth Wilfert: Certainly.

Mr. Wayne Gates: In 2015, the college introduced voluntary guidelines around the prescription of addictive drugs, painkillers. Given the potentially harmful nature of these painkillers when used in excess, do you believe it is enough for a college to be setting out voluntary guidelines, or should it go further and set out mandatory rules?

My line of questioning is going to be similar to that. If you can't answer, that's fine. But I think it's an important issue as we see what's going on.

Ms. Elizabeth Wilfert: With the dietitians, no drugs were ever mentioned, because that's not in their mandate. So I will be very honest with you: I am not up to date with that information whatsoever and I would not want to hazard a judgment until I had read all the material.

Mr. Wayne Gates: Okay, that's fair. I've got three questions that are similar, and if you have the same answers, that's fine, too.

In 2014, the college received revenue of \$23 million, more than \$2 million above what was received the previous year. In the 2014 annual report, it appears that most, if not all, of the extra \$2 million went unspent by the college.

What do you believe is the best use of that \$2 million? Can it or should it be used to support low-income seniors who cannot afford dental surgery on their own? I can tell you, and I'm sure my other colleagues can say this, we do get a lot of seniors coming into our constituency office with dental issues and they can't afford it. So maybe use that \$2 million to help seniors in our communities—and maybe what you think of that.

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Ms. Elizabeth Wilfert: I would have to study the issue a little more carefully, but it is my understanding that that would not even come under the mandate of the college. The mandate of the college is to ensure safe, ethical practices and to protect the public. I would have to do a lot more reading.

Mr. Wayne Gates: I'll go to a couple of questions that might be a little easier for you. I can appreciate that you don't know some of those answers, but they are important.

Ms. Elizabeth Wilfert: Yes, absolutely.

Mr. Wayne Gates: I think all of us around here can talk about our seniors who are having lots of trouble.

Can you describe your previous experience—and you did a little bit of this—with governing boards, which might be of assistance in undertaking this position? When you get on a board—you did mention the fact that you sat on a number of them, which is good, because to your point, it's all about experience, right?

Ms. Elizabeth Wilfert: Certainly, I know what the various committees do. I know that quality assurance looks at making sure that the dental surgeons are up to date with their practice, and continue to be. Registration looks at bringing people from other countries—not bringing them, but looking at their resumé and their portfolios to assess whether they would be competent to practise or need some upgrading. So I am well aware of what the positions are.

The college of dietitians is a small college, and so we've only had three discipline hearings in the 20 years, up till the year that I was—and I had the good fortune of being the chair of one of those hearings. That gave me a lot of experience.

Mr. Wayne Gates: So you're hoping there's a lot more opportunity to have those types of hearings? Did you enjoy them?

Ms. Elizabeth Wilfert: I did enjoy them. I felt badly that they had to occur, but I did enjoy the experience and the knowledge that I gained from them, yes.

Mr. Wayne Gates: It's always nice to hear both sides and to make a decision.

Have they told you how much training is going to be involved? Have you started any training?

Ms. Elizabeth Wilfert: No, I have not, obviously, because I haven't been appointed. I have had no training. However, based on what I learned from the college of dietitians, I would assume that it would be similar.

Mr. Wayne Gates: So you're really taking your experience from one to move into another—and that's kind of how you hope the voting will go, so that we'll be in favour of you being appointed.

Ms. Elizabeth Wilfert: Absolutely.

Mr. Wayne Gates: I appreciate that. Thank you very much. It was nice meeting you.

Ms. Elizabeth Wilfert: Thank you. Same to you.

The Chair (Mr. John Fraser): Ms. Wilfert, thank you very much for being here today and sharing the time with us. You may step down now. We'll consider the concurrences at the end of this meeting. That will be between 3:30 and 4 o'clock.

MR. THOMAS TEAHEN

Review of intended appointment, selected by official opposition party and third party: Thomas Teahen, intended appointee as president, Workplace Safety and Insurance Board.

The Chair (Mr. John Fraser): Our third intended appointment is Thomas Teahen, nominated as president, Workplace Safety and Insurance Board. Mr. Teahen, can you please come forward?

Thank you very much for being with us here today. You'll have some time to make a brief opening statement. Any time that you use for your statement will be taken from the government's time for questions. Questioning will begin with the official opposition. You may proceed.

Mr. Thomas Teahen: Good afternoon to all the members of the committee. Let me begin by thanking the

members of the committee and you, Mr. Chair, for allowing me to appear here today. I appreciate the opportunity to present myself for consideration as the new president and CEO of the Workplace Safety and Insurance Board, and I look forward to answering your questions.

To that end, I will keep my opening remarks brief, but I will begin with reviewing for you a little bit the highlights of my professional career. I'm a graduate of the University of Western Ontario and also a graduate of Queen's University law school, from where I graduated in 1995.

I was called to the bar of Ontario in 1997, and my almost decade-long legal practice focused on labour, employment and administrative law, including labour relations and negotiations. I practised law both in Toronto in a larger-firm context and also in Stratford, Ontario, near my hometown of St. Marys, Ontario. My practice included representation of both employers and individual workers, including in workers' compensation cases.

In September 2005, I left law practice and joined the office of then-Minister of Labour Steve Peters, to become his chief of staff, and continued in that position until November 2007. I know that during my tenure as Minister Peters's chief of staff, two significant initiatives were brought forward by Minister Peters's office, including the introduction of legislation creating presumptive legislation for firefighters in relation to various cancers, as well as amendments to the Workplace Safety and Insurance Act as they relate to the indexation formula for injured workers. At that time, it was the first significant increase in the indexation for benefits for partially disabled workers that had happened in almost a decade.

In November 2007, I joined the office of the then Minister of Education, Kathleen Wynne, as her chief of staff and continued in that position until March 2010. As Minister Wynne's chief of staff, I led the government team during all the negotiations during the 2008-09 collective bargaining in the education sector, which included achieving provincial framework agreements covering almost 400 collective agreements across the province.

In 2010, I became the chief corporate services officer at the Workplace Safety and Insurance Board. I reported directly to the president in that position and was responsible for seven key business divisions including human resources; communications; legal affairs; channel solutions, which were essentially customer service and customer relations; policy; appeals; and IT.

In February 2013, I commenced a secondment from the Workplace Safety and Insurance Board as the chief of staff to the Premier of Ontario, Kathleen Wynne.

For the past two decades, beginning as a labour lawyer and continuing through my time at the Ministry of Labour, then as a senior executive at the WSIB and finally working directly for the Premier, much of my professional life has been focused on working with and trying to bring together the interests of workers, labour and employers. It is for this reason that I am so enthusiastic about the opportunity to return to the WSIB, because I think it is an organization that is poised to achieve

tremendous things. I want to be part of that, I want to help shape that and I want to lead that.

As we all know, the board and executive team have made huge strides in recent years. The speed and quality with which claims are addressed has improved substantially, workers are recovering and returning to work more rapidly, and quality of care has been strengthened. Most notably, the enormous unfunded liability that had piled up has steadily eroded. The WSIB is now on a clear path to being fully funded. Challenges remain but the momentum is clear. Clearly, job one is to complete that critical task but I believe there is also a huge opportunity to plan and prepare for what that change represents. A self-financing WSIB is one with exciting new possibilities. Premiums could be lowered, benefits fortified and new innovations can be realized, all in a way that serves the interests of workers and employers, and all in a way that serves the broader public interest.

I am committed to working hard to see that outcome achieved and those opportunities realized, and to seeing the WSIB become an even more customer service-driven organization, to become recognized as a model of daring and innovative excellence, and to become celebrated as a workplace that truly values the people that make it work.

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I ask respectfully for your support in permitting me to pursue those and other important goals as president and CEO of the WSIB. I thank you and I'd be happy to answer any questions that you have.

The Chair (Mr. John Fraser): Thank you very much, Mr. Teahen. Mr. Yakabuski.

Mr. John Yakabuski: Thank you, Chair, and thank you, Mr. Teahen, for coming before the committee today.

Mr. Thomas Teahen: Thank you.

Mr. John Yakabuski: When were you promised the job as president of the WSIB?

Mr. Thomas Teahen: I learned that the position of president and CEO of the WSIB was vacant when Mr. Marshall, the current president, who's president until the end of the month, announced that he'd be stepping down. I believe he announced in October 2015 that he would be stepping down at the end of January.

When he did that, I became aware that the position would be vacant and I was advised that there would be a competitive process put in place to determine the next president, conducted by an external search firm. When that happened, the external search firm posted their position in late October, I believe, or November 1. I applied online and sent my resumé and cover letter to the search firm. I participated in the interview—

Mr. John Yakabuski: I don't need all that. I just need to know—

Mr. Thomas Teahen: That's the process that I went through. Then I learned that I was successful, after the going through the interview process with the external search team.

Mr. John Yakabuski: When you left to be seconded to be chief of staff to the Premier, are you suggesting that at no time there was an understanding that when Mr. Marshall left, you would be appointed president?

Mr. Thomas Teahen: No, at no time was there an understanding that I would be president.

Mr. John Yakabuski: According to our records, as per your signed application, you applied for the job on December 10, 2015.

Mr. Thomas Teahen: I applied to the job through the external search firm by a letter dated November 5, I believe, which was sent to Odgers Berndtson. They were the firm that was conducting the search. I sent them a cover letter to—I can't remember the young woman's name who was receiving the applications.

I sent that letter November 5, I believe—I have a copy in my briefcase, if you'd like to see it—including my resumé. I had my first interview with Mr. Sal Badali in mid-November. I had my second interview with the external search panel on or about November 30. That was the process that I went through.

Mr. John Yakabuski: Okay. Have you had any meetings with stakeholders in the labour sector since then?

Mr. Thomas Teahen: When I was nominated for this position, I announced that I would be leaving the Premier's office at the end of December. I talked to a number of stakeholders that I had regular interactions with—labour, employer and otherwise—to let them know that I was leaving the Premier's office and that, if successful through the committee process, I'd be joining the WSIB.

Mr. John Yakabuski: Okay. When did you stop being a member of the Liberal Party?

Mr. Thomas Teahen: When did I stop being a member? Well, I have a membership, I believe, which will expire. I have not given any donations to the Liberal Party since I was nominated for this position.

Mr. John Yakabuski: But you did give donations prior to being nominated?

Mr. Thomas Teahen: I did give donations prior to this, yes. Certainly, in my role as chief of staff to the Premier, I attended numerous Liberal events as part of my job, which included what were considered contributions to the party, yes.

Mr. John Yakabuski: Okay. Were you a member of the party prior to being the chief of staff for the Premier?

Mr. Thomas Teahen: I've been a member at different times. When I was the chief corporate services officer at the WSIB, I made no contributions to the Liberal Party.

Mr. John Yakabuski: But you were a member?

Mr. Thomas Teahen: I don't know whether I had my membership at that time. I gave no contributions during that time.

Mr. John Yakabuski: So do you think it's appropriate for you to be a member, given that you're going back to the WSIB as president?

Mr. Thomas Teahen: No, that's why I said that I have given no contributions and don't intend to—

Mr. John Yakabuski: It's not about contributions. Do you intend to rescind your membership, or have you?

Mr. Thomas Teahen: If my membership is still active, I would let my membership lapse or rescind it, yes.

Mr. John Yakabuski: Okay.

Mr. Thomas Teahen: I recognize that the position that I'm taking on is a position of public service, which is a non-partisan role leading a very important government agency.

Mr. John Yakabuski: During your previous tenure, the WSIB had some notable accountability and transparency issues. For example, the WSIB operated a slush fund without any proper oversight, giving the Ontario Federation of Labour over \$12 million over 10 years for the Occupational Disability Response Team. The ODRT had an apparent mandate to train workers and prevent accidents. That was debunked by KPMG, which said the grant program's link to prevention was weak.

As a senior level at the WSIB, what did you try to do to put an end to this slush fund?

Mr. Thomas Teahen: I'm aware that the WSIB provided funding to the OFL, and it provided funding to other organizations, to support their activities—particularly, in those cases, to support those labour organizations that had a role in training individuals who would then work with injured workers and help them deal with their cases. It's absolutely critically important that the WSIB ensure that there is accountability for how those funds—

Mr. John Yakabuski: So you did nothing. I don't need a long story.

Mr. Thomas Teahen: No, that's what we did. That's what we did when I was there. I haven't been there when the KPMG report was—

Mr. John Yakabuski: The grant was terminated in 2014 after the KPMG investigation—after their review and the report—which would indicate that their position was exactly right: that its link to prevention was weak. Yet when you were there, you did nothing to try to prevent and put a stop to it.

Mr. Thomas Teahen: We put accountability measures in place and there were a number of discussions with the Ontario Federation of Labour.

I did have a conversation just this week, actually, with the incoming president of the Ontario Federation of Labour. He and I will be meeting very soon, as soon as I get on to the job, assuming this process—

Mr. John Yakabuski: Oh, so you have had meetings already?

Mr. Thomas Teahen: As I said to you, I have talked to various stakeholders, and I did talk to the new incoming president of the Ontario Federation of Labour. It was just an introductory discussion, and we agreed that I would meet with him early in my tenure, as a very important new stakeholder.

Mr. John Yakabuski: In 2010, when you were seconded from the WSIB, its unfunded liability had reached \$12.4 billion. That was an increase from \$6.4 billion in 2005. You were a senior executive during that time when it nearly doubled. What, if anything, did you do to address this alarming unfunded liability rate?

Mr. Thomas Teahen: Sorry. Just to be clear, just to get the dates, you said when I was seconded in 2010. I was seconded in 2013. I was at the WSIB in 2010.

Mr. John Yakabuski: Okay, sorry.

Mr. Thomas Teahen: So can you just clarify what time frame you're speaking about?

Mr. John Yakabuski: Okay. When you were seconded from the WSIB—its unfunded liability went from \$6.4 billion in 2005 to \$12.4 billion in 2010. During that time, you were a senior executive.

Mr. Thomas Teahen: No. I began my tenure at the WSIB in 2010, and I was there from 2010 to 2013. Since 2010, the unfunded liability, in fact, has dramatically decreased, and I'm proud of the fact that during my tenure at the WSIB, during those three years, I worked closely with the president and the executive team to put into place measures that have proved successful in dramatically decreasing the unfunded liability.

Mr. John Yakabuski: Okay. In the January 21, 2016, issue of the Financial Post, the current WSIB president, David Marshall, commented on the state of the board's finances when he arrived in 2010 and I understand that you joined as chief corporate services officer.

Mr. Thomas Teahen: That's right, in March 2010.

Mr. John Yakabuski: Right. While the article suggests the board's focus was on better return-to-work outcomes, in the board's 2010 annual report, the board outlined a very different strategy of exercising a more stringent application of eligibility rules, something Dr. Harry Arthurs warned against in his 2011 report, *Funding Fairness*, as "tightening the screws." Did you support the tightening-the-screws approach, something this committee has heard a lot about in the past?

Mr. Thomas Teahen: One of the things I'm very proud of in my time at the WSIB is that I was quite instrumental, actually, in bringing Mr. Arthurs on to do the review. And one of the things that he concluded that has been important in guiding the WSIB forward to now, and it will be important to guide it forward into the future, is the need to bring down the unfunded liability and move toward reaching full funding, not because full funding is an end in itself, but because full funding is critical to preserving benefits for injured workers and it's critical for improving the potential to bring down premium rates for employers.

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Mr. John Yakabuski: Did you support the tightening of the screws?

The Chair (Mr. John Fraser): That's all the time we have for this round. Ms. Forster?

Ms. Cindy Forster: Thank you, Mr. Teahen, for being here.

Mr. Thomas Teahen: Thank you.

Ms. Cindy Forster: I have a few questions for you. The last president and CEO actually got a mandate letter from the Premier, and then, when his tenure was renewed, he got another mandate letter. Have you received a mandate letter at this point in time from the Premier?

Mr. Thomas Teahen: No. All I have seen or I understand is that there's an OIC that will be signed, hopefully, or it's so far signed, and I believe it would be endorsed based on this committee's recommendation, which out-

lines the terms and conditions of my employment or position as CEO. That's all I know.

Ms. Cindy Forster: That's all you know about at this point in time, no mandate—

Mr. Thomas Teahen: That's all I'm aware of.

Ms. Cindy Forster: Okay, so my next question is with respect to the reports recently that the premium rates are going to decrease by some 17% to 18% by 2017-18. We live in a province that has one of the lowest coverage rates for workers across the country. Could you see an actual expansion to universal coverage of workplaces as a way to further reduce the rates that are already proposed to happen in the next couple of years by sharing the risk and including 30% more workplaces under WSIB coverage?

Mr. Thomas Teahen: I think what you're referring to when you're talking about lowest coverage rates—just so I'm clear—not the level of benefits if a worker is injured, but the number of workers that are covered.

Ms. Cindy Forster: Of workplaces; correct.

Mr. Thomas Teahen: There are approximately 75% of workers in the province who are covered today. Some of the exclusions are banks and other places. There has been some discussion about that, I understand. That would be a decision that the government would have to make in terms of whether it would want to expand coverage. The reality, though, on the premium rate side is that a significant component of the current premium rate is made up of a payment toward the unfunded liability. That's why it's so important to bring the unfunded liability down, because it then can lead toward the potential reduction in the premium rate.

As I say, though, it's not just a reduction in premium rate that's important, but also the ability to protect workers' benefits. The unfortunate reality, when there has been such a high unfunded liability over the course of the last 50 years—when that unfunded liability goes up and down, there are only two ways that people instinctively think it should be dealt with: one is increase premium rates and the other is lower benefits. I believe getting that unfunded liability down can actually help stop that conversation and reach a better balance.

Ms. Cindy Forster: If we can get back to the universal coverage piece, originally, in the creation of workers' compensation, there were no exclusions way back when; right? Then there were just banks and insurance companies that weren't covered. But today, as workplaces change, we have all kinds of IT sectors and service sectors that aren't covered. Would you be willing and open to have the dialogue about a move to universal coverage as the new president?

Mr. Thomas Teahen: Well, as I say, that's a decision that a government would have to make. One of the opportunities, though, that I believe is available to the—and when I talked about opportunities that present themselves, if the unfunded liability were decreased and premium rates came down, it would be more affordable for many—it might well be more affordable; I'll put it that way. It may well be more affordable for some of

those workplaces that are currently uncovered to buy insurance from the workers' compensation board, which they can do anyway, voluntarily. They're not going to do that unless there's a competitive rate and there's good service, and those are goals that I intend to ensure we pursue.

Ms. Cindy Forster: I understand that WSIB is undergoing a massive technological project at the moment and that the original budget for that project was \$30 million. It was supposed to be rolled out within three years, with the first phase starting as early as maybe the spring of this year. Can you tell us where they're at with respect to keeping in line with the budget? We had, through community and social services, huge problems with the SAMS project. Can you tell us—

Mr. Thomas Teahen: I can't speak to specifics of where they are in the budget because I haven't been there and I have not been into the board or talked to people at the board about that in advance of this, because I've been very respectful of this process.

Obviously I know that there has been an IT project under way. That will be one of the first things as a president that I have to get in and understand in terms of where they are. Your point is very well taken, that managing and having effective project management over significant IT projects is critically important and is one of the challenges that any organization faces and that they have to keep a very close eye on.

Ms. Cindy Forster: You spoke in your opening remarks about the importance of the people who actually work in this industry. Are you aware there was a recent survey done of approximately 3,400 front-line staff at WSIB and that over 80% of those front-line workers felt that their workplace was unsupportive, that they were harassed, that they were bullied and that they didn't believe that WSIB should have a standing in the top 100 employers in the province? Do you believe that it is part of your mandate to address those morale concerns with the staff?

Mr. Thomas Teahen: As I said to you in my opening, I want the Workplace Safety and Insurance Board to be a place where it supports those people that make that organization work. When I was the chief of corporate services, one of the goals that I set for the organization, being responsible for human resources, was to be one of the top 100 employers in the province. It's still one of my goals to achieve that.

Ms. Cindy Forster: Are you aware that workplace illness at WSIB sits at 35% in comparison to the national average of 25%, and that WSIB staff who experience injuries or workplace illnesses actually have their claims denied at twice the rate as the general population? So here we are, with this group of people trying to assist workers who experience workplace illness or injury having their own claims denied at twice the rate. What can you do to address that?

Mr. Thomas Teahen: I can't speak to that statistic. I don't know where it's from and it's the first I've heard it. What I will say to you is, as I say, I want the Workplace

Safety and Insurance Board to be celebrated as a place that values the people who work there. It's a number one priority for me. It's been a value that I've brought to every job I've had, whether it's been practising law, whether it's been being a chief of staff in a minister's office or in the Premier's office, or when I worked at the Workplace Safety and Insurance Board. You have to value the people who work with you and who are critical to making a workplace function.

Ms. Cindy Forster: Harry Arthurs, in his report in 2010, spoke aggressively against experience rating, which clearly leads to claim suppression, non-reporting and all those kinds of things that you're aware of. Do you have any plans to address enforcement—because there was recent legislation introduced in the last session but it didn't address the issue of enforcement and in what time frame they were actually going to roll that out. Do you have any thoughts on that?

Mr. Thomas Teahen: These are two separate issues, I think, or two separate questions. One is claims suppression. In the last session, amendments to the act were passed to create a penalty or an offence if an employer suppressed a claim. Employers and workers absolutely have to expect that there is integrity in the system; otherwise, the system won't work. Obviously, now that there is a new offence in place, the WSIB has to ensure that it's diligent in identifying circumstances where there's a failure to report or any other activity that undermines the integrity of the system. We'll have to put the pieces into place to ensure that's there.

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As it relates to experience rating: It's a debate that's been going on between employers and the injured worker community for some time. There is a consultation currently under way regarding changes to the classification and rate group structure. That consultation is active and under way. Where experience rating fits into the system is part of that discussion. I think that's a very important consultation that has to continue and conclude. There are important changes that need to be made to the classification and rate group structure, and within that, there has to be further analysis of where the experience rating fits.

The Chair (Mr. John Fraser): Thank you very much, Ms. Forster. You're out of time.

Mrs. McGarry, you have about four and a half minutes left.

Mrs. Kathryn McGarry: Thank you very much for being here today, Mr. Teahen, to answer some questions.

I just wanted to start off with a question about last year's bill. Late last year, the government passed Bill 109, the Employment and Labour Statute Law Amendment Act. Among other improvements, this bill will ensure that injured workers on partial disability will finally have their benefits rise with inflation.

What do you know about this change and, as the incoming WSIB president, how would you oversee this implementation?

Mr. Thomas Teahen: As I mentioned in my opening remarks, just summarizing some of my work history, the

issue around indexation of benefits for partially injured workers has been ongoing for some time. There is something in place called the modified Friedland formula. That was amended or changed in 2007 by regulatory changes introduced by Minister Peters. It was the first time that there were any changes to the index formula in a decade, which happened at that time.

Since then, there has been a strong push by the injured worker community—rightly—for full indexation to return. The amendments that were made or passed at the end of the session will mean that full indexation on workers' benefits comes in, effective January 2018. I think that what this underscores is the importance of the continued progress in dealing with the unfunded liability. As I say, when that unfunded liability continues to come down, it allows benefits to be protected. It allows changes such as indexation to be put into place, and it will also allow changes such as reductions in premium rates to happen, so it's very important.

Mrs. Kathryn McGarry: Okay. Thank you—

The Chair (Mr. John Fraser): You have about one minute.

Mrs. Kathryn McGarry: One minute?

The Chair (Mr. John Fraser): Yes.

Mrs. Kathryn McGarry: You have outlined your experience and qualifications for this job. How do you think that that will help you to shape and achieve goals that you may make as WSIB president, and what would those goals be?

Mr. Thomas Teahen: Well, as I outlined in my opening remarks, I think there are huge opportunities ahead for the board to become much more focused on customer service; that is, how it interacts with employers and how it interacts with injured workers to make their experience with the Workplace Safety and Insurance Board a better one.

WSIB is not just a claims management system, but it has to be a customer-focused system. Now, with the focus shifting away from just "what are you going to do about the unfunded liability," we can continue to focus more aggressively on customer service. There are opportunities for new innovations as they relate to dealing with health care claims and dealing with occupational health and safety issues. That's an area of expertise that the Workplace Safety and Insurance Board has, and I think that the Workplace Safety and Insurance Board can be known as a centre of excellence across North America in dealing with workplace health and safety and workplace insurance-related issues. Those are a couple of things that I think are on the horizon and on the near horizon for the board, and I look forward to pursuing those in the role of president.

Mrs. Kathryn McGarry: And as a—

The Chair (Mr. John Fraser): You're out of time.

Mrs. Kathryn McGarry: Okay.

The Chair (Mr. John Fraser): Thank you very much, Mr. Teahen, for being here today and answering the committee's questions.

Mr. Thomas Teahen: Thank you for the opportunity.

The Chair (Mr. John Fraser): You may step down. We'll consider the concurrence at the end of our meeting, which will actually be around 3:30. You're welcome to stay.

Mr. Thomas Teahen: Thank you very much.

DR. BRYANT GREENBAUM

Review of intended appointment, selected by official opposition party: Bryant Greenbaum, intended appointee as member, Animal Care Review Board, Fire Safety Commission, Licence Appeal Tribunal, Ontario Civilian Police Commission and Ontario Parole Board.

The Chair (Mr. John Fraser): Our next intended appointment is Bryant Greenbaum, nominated as member, Animal Care Review Board, Fire Safety Commission, Licence Appeal Tribunal, Ontario Civilian Police Commission and Ontario Parole Board. Mr. Greenbaum, can you please come forward?

Thank you very much for being here today. You have some time to make a brief opening statement. Any time that you use will be taken from the government's time for questions. Your questioning will begin with members from the third party.

Again, thank you very much for being here today, Mr. Greenbaum. You may proceed.

Dr. Bryant Greenbaum: Thank you, Chairperson. It's a pleasure to be here this afternoon to appear before the standing committee. I will take this opportunity to provide you with some introductory comments about my experience and qualifications. I then look forward to your questions.

I am currently legal counsel at the Ontario Motor Vehicle Industry Council, and I previously worked in the legal aid system in Ontario and in the public service in Canada and abroad. It has always been a privilege to serve the public and it is the most rewarding work that I have done to date.

Turning to my qualifications: For the member position with the Safety, Licensing Appeals and Standards Tribunals Ontario, firstly, as again I mentioned, I am a lawyer with the Ontario Motor Vehicle Industry Council. I am therefore conversant with the rules of evidence, legal procedures and administrative law. Also, at OMVIC, I oversee a caseload of provincial offences court files as well. All of these case files require me to analyze complex legal issues and to work with other lawyers, investigators, inspectors, managers and the registrar, of course.

In addition to my experience as legal counsel, I've also worked as a lawyer, as I mentioned, in the legal aid sphere, where I was the director of legal services at the African Canadian Legal Clinic. I also undertook litigation files, supervision of litigation files and administrative tribunal matters.

I have also worked with different constituencies in various capacities in government and in the private sector, including victims of violent crime, government stakeholders and racialized community groups and associations.

I have also worked with alternative dispute resolution frameworks, and this experience can be employed when called upon by the parties to assist them with settlements, pretrial narrowing of issues and ensuring hearings are conducted in a safe, efficient and fair manner.

The above employment experiences point, once again, to my expertise and qualifications for this position, but to be clear, I feel I have the abilities to assist unrepresented parties and persons with linguistic or accommodation needs.

I feel I have the abilities to ensure all parties, be they institutional, government or corporate parties—with counsel or individual unrepresented applicants—will receive a fair and impartial hearing. I believe I can represent the tribunal in a professional manner by conducting myself in an exemplary way at pre-hearings, motions, hearings and by writing decisions that are legally sound and are not reversed at Divisional Court, on judicial review or appeal. Thank you very much.

The Vice-Chair (Mrs. Cristina Martins): Thank you very much, Mr. Greenbaum, for being here today and for presenting. We are now going to begin with questioning from the third party. Mr. Gates, please.

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Mr. Wayne Gates: Good afternoon. How are you, sir?

Dr. Bryant Greenbaum: Very well, thank you.

Mr. Wayne Gates: Good. I've got a few questions for you. As a member of the Ontario Parole Board, you'll be responsible for assessing the safety of returning convicted offenders to the community, something that was a big issue, quite frankly, with the corrections officers' potential strike. In this role, you'll be required to strike a balance between protecting our communities and ensuring that offenders are given a second chance to succeed in society. Where, in your opinion, should the balance lie between those two competing interests?

Dr. Bryant Greenbaum: Thank you for the question. As an adjudicator, you must first adjudicate findings of fact and findings of law. The task at the parole board, should I be appointed a member, would be to review the evidence and make these findings of facts and findings of law in accordance with jurisprudence and in accordance with best practice, weighing all of the issues that come into play, be it recidivism, be it the sentence initially handed out and the restrictions thereto. It would be a matter of applying both the law and ensuring that these decisions are sound legally.

Mr. Wayne Gates: Okay, thank you. The Ontario Civilian Police Commission has "general enforcement authority relating to the ... effectiveness of policing services." One of the major questions regarding current police practices and their effectiveness is around the issue of carding. Do you believe that the Ontario Civilian Police Commission has a role to play in this practice of carding and what do you see that role as being?

Dr. Bryant Greenbaum: The police oversight process involves that body on an appeal level, but there are different stages before an issue such as carding could

reach that body. The independent director of police, OIPRD—it's a long name; excuse me if I don't get it right. The independent director of police complaints, I believe, is the first step and it works its way through a system which could one day, indeed, end up at that body. Once again, adjudicators at that body would have to look at the evidence as a whole, make findings of facts, make findings of law and come to well-reasoned decisions.

Mr. Wayne Gates: When you were talking, you talked about a few things that maybe some people don't understand. You talked about a pre-hearing; you talked about mediation; and you talked about writing a decision that's fair and balanced. Could you explain the difference between the three?

Dr. Bryant Greenbaum: Yes. A pre-hearing is a device used both in courts of law and in administrative tribunals to try to narrow issues at the onset so that time is saved and all parties are given a fair chance to present their case. It's a mechanism to streamline matters and to ensure that everyone is on the same page.

Mediation is far different. The goal of mediation isn't to prepare for a hearing. Rather, it would be to try to resolve the matter before a hearing takes place, and the expense and time that would be involved for applicants, respondents and parties, never mind the judicial system as a whole. Mediation is a very important step in legal proceedings if resolution can be reached before lengthy and costly hearings take place.

The last term of reference, I believe, was—excuse me—

Mr. Wayne Gates: Writing written decisions and making sure that they're fair and balanced at the end of the day.

Dr. Bryant Greenbaum: Thank you, member.

Mr. Wayne Gates: And so they can understand them too.

Dr. Bryant Greenbaum: As an adjudicator, you're doing your job well, I believe, if your decisions are well written, they are comprehensive, they take into consideration facts and law and, most importantly, they're not overturned at an appellate level. It means you're doing a good job because you are, indeed, writing sound decisions, and if an applicant or respondent wants to test them, appellate courts are saying, "No, these decisions are sound." So that's a good step. If my decisions as an adjudicator are indeed thorough, then they will not be overturned at judicial review or appeal. That would be a sign that I'm doing my job well.

Mr. Wayne Gates: Okay, and moving back just a little bit on the mediation process, are you finding more mediation is being done today because of cost and because sometimes there seems to be some success with it?

Dr. Bryant Greenbaum: I believe that tribunals and the administration of justice are definitely stressing that this is an option for parties and that it's something that should not just be turned away; it is something that should be seriously canvassed as a dispute mechanism that can save time and money. Its use—you would have

to look at specific tribunals, courts and jurisdictions as far as frequency.

Mr. Wayne Gates: Given your background, do you have any particular insight into the operations of the Ontario Civilian Police Commission?

Dr. Bryant Greenbaum: I do not have any personal experience with them—

Mr. Wayne Gates: It might be a good thing, right?

Dr. Bryant Greenbaum: Yes—academic or otherwise. Sorry.

Mr. Wayne Gates: Has the witness given any indication about the time commitment required for this appointment and is he confident that he can provide the necessary time to the appointment?

Dr. Bryant Greenbaum: I would dedicate myself to this important public service task.

Mr. Wayne Gates: So you're looking forward to doing it?

Dr. Bryant Greenbaum: Very much so.

Mr. Wayne Gates: Okay. Thank you very much. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Ms. McGarry.

Mrs. Kathryn McGarry: Thank you very much for coming today to answer some of these questions.

I wanted to start off by asking you to talk about your adjudicative background. Have you ever represented clients before an adjudicative tribunal?

Dr. Bryant Greenbaum: Yes. I was, as mentioned previously, the director of legal services at the African Canadian Legal Clinic. We would regularly appear at the Human Rights Tribunal and other tribunals. I was supervising two lawyers, making sure all of the pleadings were undertaken in a proper fashion. I was also ensuring that their tribunal work was meeting the needs of our clients.

As mentioned previously, I am currently working at OMVIC, the Ontario Motor Vehicle Industry Council, and I also appear in tribunals and prepare for tribunal work there as well.

Mrs. Kathryn McGarry: Okay. So your experience and your background will relate to some of the duties that you'll be needing to perform as part of the position?

Dr. Bryant Greenbaum: I believe so. I have extensive experience preparing for proceedings. Although my appearances are limited, I've supervised lawyers and have done more of the background work, so I know a trial and a hearing is 99% preparation, 1% doing it. The work that goes into the front end of any hearing is really the guts of litigation. It's the pleadings, it's the evidence, it's the witness statements and it's building a case in the back end that really ends up being the hard work, and I have lots of experience with that. In addition, I've also conducted pre-hearings for clients, so I believe I am capacitated to do it.

Mrs. Kathryn McGarry: Good. What do you think the major challenges may be in the ongoing work of this cluster in the foreseeable future?

Dr. Bryant Greenbaum: Well, this cluster is facing quite a task when the statutory accident benefits, the automobile accident benefits, are transferred to it in April of this year. I understand that there will be quite an increase in workload for the cluster. That will be a challenge that they will have to hit straight on as far as preparing for that to transfer from FSCO.

The work involving police oversight is important as well, obviously, and the public has a keen eye, watching that and wanting to make sure that it's done properly. It's an important task.

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Mrs. Kathryn McGarry: Okay. Thank you very much. No further questions.

The Chair (Mr. John Fraser): Mr. Milczyn.

Mr. Peter Z. Milczyn: Previously, when I was at the city of Toronto, I had experience with the city's licensing appeal tribunals, so I'll ask you the same question that I asked applicants back then. How will you balance your role as an adjudicator with the task of upholding the public interest, policies, laws and regulations which are the basis for the foundation of all these tribunals?

Dr. Bryant Greenbaum: Within a tribunal proceeding, you have to conduct yourself, firstly, in accordance with a tribunal's own set of policies, best practices and conflict-of-interest policies. Every tribunal has ethics policies and policies that make sure that you're conducting yourself appropriately and ethically. So there are the internal policies that one must abide by within a tribunal.

Outside of that, there are the obligations that I would have as a lawyer to the Law Society of Upper Canada, ensuring that I'm fulfilling all of my professional obligations to the courts and to society, as well. Those two sets of obligations would always be part and parcel of my work, part and parcel of my tool kit.

Of course, applicants are free to raise a charter argument, as they see fit, in a tribunal matter or a court matter. On a procedural or a substantive level, an applicant or respondent at a tribunal is free to bring a charter argument, if they feel that their rights are being impinged.

Mr. Peter Z. Milczyn: Of these various tribunals that you would be a member of, which one do you think is the most interesting for you?

Dr. Bryant Greenbaum: They're all interesting. It seems unusual, but law can be interesting, even accident benefits. You're dealing with real people, real problems, and it is interesting work.

We saw previously the terrible fire with the farm animals, the horses in the stables. There were two terrible fires. These are human stories. There were faces and people behind those animals. Whether it's animals or whether it's accident benefits, these are all interesting matters and important matters.

The Chair (Mr. John Fraser): Thank you very much. You have about 30 seconds.

Mr. Peter Z. Milczyn: The Ontario Civilian Police Commission: Policing is a hot topic right now. Have you

had any previous experience, either as an advocate or a participant in any hearings related to police services boards in this province?

Dr. Bryant Greenbaum: Yes. As the director of legal services at the African Canadian Legal Clinic, we would have clients who would come to us wishing to engage the police oversight system, and we would represent them through that system.

The Chair (Mr. John Fraser): We'll have to end your questions there. That's all the time we have for the government.

Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, sir, for your application and for being here today.

I'm a little concerned, as we're talking about this, that one of the areas to deal with is the Animal Care Review Board. Obviously, there's nothing in your application or in any discussions that we've had so far today that you have had any involvement with animal care and the right care.

Now, in rural Ontario, we've had a large problem with the ongoing or the events of the OSPCA going around closing down farms and taking the animals into care, and of course, the farmer opposing that. They have to go to the tribunal to hear who's right or wrong.

In your answers previously, you seem to be very focused on how the board is in fact a court. We have to arrange the lawyers properly, we have to make sure that we let both sides defend their case, and then we make a judgment. But when you're dealing with the Animal Care Review Board, in fact, the question is not an issue of law; the question is an issue of what are normal farming practices. If the adjudicator has no idea of what they are, we're not going to get an appropriate hearing because, obviously, the reason we're there is because the OSPCA says that it's not normal farming practices and the farmer says it is.

The adjudicator is going to have to make the decision. It doesn't matter how many lawyers you put on each side; they're not going to be able to come to the conclusion of what is right. How do you envision that you would even be competent to deal with that case?

Dr. Bryant Greenbaum: Well, when you're dealing with animals and the care of animals and it has reached a dispute level, you're going to need experts. Expert evidence will definitely come into play. The best expert evidence, whether it's an automobile accident, whether it's the care of animals, should be comprehensible to a layman. That doesn't mean that it has to be simple, that doesn't mean it has to be not sophisticated, but it should be able to be assessable to lay people.

Indeed, with these matters and the competing rights of the various parties involved, expert evidence is going to have to come into play. I have dealt with expert evidence in many different forums and on many different issues and have never had a problem digesting the information, seeing both sides of the story and making a judgment, applying law, applying best practices and making sound judgments with that.

My answer to you is that I believe that I have the skill set to deal with adjudicative matters, be they animal care, be they car-accident based or be they within the civilian oversight of police.

Mr. Ernie Hardeman: I think the government side asked a question about how you balance the public interest along with the judicial decision you have to make. At the Ontario Municipal Board, it doesn't matter how many experts come out there; not everybody believes that decision is made on the expert testimony. It's based on somebody's opinion of what's the right way to go.

One of the biggest concerns that I've heard over the last number of years in this job is, how can the adjudicators make such a decision which is totally contrary to the people who were representing the people? They make one decision and then, all of a sudden, the OMB comes back with a totally different decision.

That's the same problem, I'm suggesting, that we have here with your analysis of how you deal with the live-stock one. For the person who is making an adjudication on it, there is absolutely no consideration for the public position, but rather a professional member of the OSPCA, who has spent their life to try and stop all these things from happening, brings the professionals in and the adjudicator—how do they make that decision?

Dr. Bryant Greenbaum: I would hope that the farmer also has expert evidence, as well. When I say "expert evidence," it doesn't have to be a PhD in agriculture; any long-standing person who has been in agriculture or has dealt with farms could qualify as an expert in certain circumstances. Experts are not the exclusive domain of the regulatory Ontario animal protection agencies.

Expert evidence can be relied upon by farmers, as well. They can put forth their arguments that, I believe, can be weighed and balanced by myself and other adjudicators. Moreover, if it reaches a conflict stage where adjudication is necessary, there are appellate reviews. So if a finding of fact is absurd, an appellate court—

Mr. Ernie Hardeman: Is your position, then, that adjudicators on these tribunals need no expertise other than understanding the process and understanding the law? The arguments coming from both sides are the ones who are going to make the decisions, so you need no knowledge of the issues at hand.

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Dr. Bryant Greenbaum: I believe that you can capacitate yourself with the issues at hand through involving yourself with the case. I believe that the way the system is set up is that adjudicators must remain impartial and neutral, and the parties must bring forth evidence to support their case. The adjudicator will weigh those counter-arguing arguments and will look at all of that evidence. I believe that myself and other adjudicators in this province are capacitated to do that in the animal care field, in the police oversight field and in many other fields. I believe that we are capacitated to look at the evidence in many different fields, weigh it and digest it.

As I've said, I've dealt with complicated matters in fields that were new to me and I was able to digest both sides' arguments, factums, expert reports, affidavits; looking at the material and coming to grips with it. I believe that one can do that.

The Chair (Mr. John Fraser): Mr. Yakabuski.

Mr. John Yakabuski: How much time?

The Chair (Mr. John Fraser): You have about two minutes and 30 seconds.

Mr. John Yakabuski: I'm not sure if my colleague touched on it directly, but I think one of the issues is the objectivity of anyone in your circumstances when you don't have the personal knowledge or background yourself. Is there prejudice on your part? Do you have a subjective view of what is right and wrong when it comes to the care of farm animals versus house pets? That is something where I think the agricultural community has clearly demonstrated a concern with regard to people who will have the power, as you will have, in an adjudicative nature.

I wanted to ask you, in your time with the African Canadian Legal Clinic, did you have any involvement in the management or involvement in the finances of that organization, and are you aware of any audits that were conducted and the findings of those audits?

Dr. Bryant Greenbaum: I was never involved in any financial account or trust account. I report to the Law Society of Upper Canada every year. I was not the designated account holder on any financial accounts for that organization. I'm aware that there were some audits done, I believe.

Mr. John Yakabuski: There was what?

Dr. Bryant Greenbaum: There were audits done; I believe that's public knowledge. But I was not involved in any of the financial decisions. My management role was strictly overseeing litigation files of clients.

Mr. John Yakabuski: So you had no involvement with the finances, but you are aware of the findings of the audits?

Dr. Bryant Greenbaum: I was not aware of the findings of the audits. I believe I heard in the newspapers that there was something about that, but I was never involved in any financial decisions, audits, anything of that sort. I was simply a manager of people.

Mr. John Yakabuski: Very good. Thank you very much.

The Chair (Mr. John Fraser): You have about 25 seconds.

Mr. John Yakabuski: Twenty-five seconds. Well, I don't think I have a question that I can actually ask in those 25 seconds.

The Chair (Mr. John Fraser): It's actually about 10 now.

Mr. John Yakabuski: Well, okay. Thank you very much for appearing before us today, sir, and good luck to you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Yakabuski.

Mr. Gates?

Dr. Bryant Greenbaum: I was about to run away.

Mr. Wayne Gates: What's that? I actually have no questions. I'm fine.

The Chair (Mr. John Fraser): You have no questions? Thank you very much, Mr. Gates.

Mr. Greenbaum, thank you very much for appearing today. You may step down. We'll consider the concurrences at the end of our meeting, which will be close to 3:30. You're welcome to stay. Again, thank you very much.

Dr. Bryant Greenbaum: Thank you.

DR. PETER ROSSOS

Review of intended appointment, selected by official opposition party: Peter Rossos, intended appointee as member, eHealth Ontario.

The Chair (Mr. John Fraser): Our next intended appointee is Dr. Peter Rossos, nominated as member, eHealth Ontario. Dr. Rossos, can you please come forward? Have a seat, please.

Thank you very much for being here and appearing before the committee today. You will have the opportunity to make a brief opening statement. Any time that you use will be taken from the government's time for questions, and the questioning will begin with the government. You may begin, Dr. Rossos. Thank you very much for being here.

Dr. Peter Rossos: Thank you, Mr. Chair. Good afternoon, members. I'm honoured to be here and appear before the committee. I'd like to thank you also for accommodating my patient care and teaching schedule.

You've received a biosketch and an abbreviated curriculum vitae, so I'd like to make just a few personal comments and then open it up to discussion.

I'd like to say that, as a first-generation Canadian, I'm extremely grateful and proud to be here in the province of Ontario. Also, as a father of four children and as an individual who now has parents and in-laws in their seventh and eight decades, I have familiarity with the provincial health system from both a provider and a patient and associated caregiver perspective.

I initiated my professional career 23 years ago as an academic physician at the University of Toronto with a focus on clinical care, teaching and research. Early in that career, I developed an interest in health informatics as a way to deliver better, more effective care, and, over time, assumed the role of chief medical information officer—one of the first in Canada—at the University Health Network. My focus in that role is around patient safety, quality of care, the use of evidence in the processes of care, and improving patient outcomes.

I'm committed personally to the Canadian public health system and believe that we can do much better with the wise and appropriate use of health care information technologies. I think this is especially relevant with our increasing health care costs and declining system funding capacity that we're all aware of.

I have personal experience with innovation, application development, computerized provider order entry, procurement, privacy, and regional and national leadership in health informatics and telehealth.

Most importantly, I'm very privileged to be with you on the same day that I ran a full clinic until just an hour ago, and I'll be returning to my office to do a couple of telehealth consults with patients who are outside of Toronto and within Ontario.

I'd like to end there. Feel free to ask me any questions; I will do my best to answer them. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Dr. Rossos.

Ms. McGarry?

Mrs. Kathryn McGarry: Thank you very much for coming in to speak to us today. I started my health care experience decades ago, before we even had things like informatics and e-health, so I've seen the benefit myself, just in my own practice, how e-health records, pharmaceutical records etc., benefit the patient.

I see that you've had some recognition for your innovation and leadership in informatics and telehealth. Can you just expand a little bit about where your innovations have gone to?

Dr. Peter Rossos: One of the first: As a gastroenterologist, early on in practice—this was during another fiscally difficult time, in the early 1990s—we were faced with the challenges of upgrading our endoscopy systems. They were migrating from traditional fibre optic systems to digital systems that required a fairly significant capital investment. We were also looking at everything from reprocessing to better documentation around our endoscopic procedures.

As part of that, I took on the responsibility of director of the endoscopy units at Toronto General and Western hospitals. Initially, I thought it was a great acknowledgment of my personal abilities, but later I found out that it was the job that no one else wanted. Nevertheless, it was terrific.

What it taught me was to work with interprofessional disciplines. I worked with nursing, engineering professionals, infection control individuals. We did some field trips. We looked around and saw what other organizations were doing. We looked at industry solutions. One of the areas around IT that we thought we could innovate on was around image capture.

As a result of that, essentially myself, a medical engineering colleague and a graduate student developed a system where we captured images off the endoscopes and the surgical endoscopes that were evolving. We converted them into the standard image format that ultrasound and CT use—the DICOM format that you may be familiar with—and it allowed us to put them on the hospital system at very little cost.

So we published that in the public domain. We built a system in-house and we've disseminated that knowledge. That system is still in play today. Over that period of time, we've essentially, just within our organization, saved hundreds of thousands of dollars, if not more, just

in terms of the hardware, software and maintenance costs.

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That taught me a bit of a lesson, and that was that if we look at standards and we look at a collaborative approach to solving some of these challenges in health care, we can derive very usable solutions that are fairly low cost and low maintenance. That is really what generated my interest subsequently in a number of other areas that led up to my being invited to be the clinical lead on our computerized provider order entry initiative at University Health Network. We're internationally one of the first large organizations to take on full medication order entry in the in-patient environment.

Subsequent to that, we initiated a telehealth program under our former CEO, Tom Closson, who was very much a leader—I think you may know—not only in health care, but in process design in the e-health space. Over the past 10 years, we've grown that program now to basically serve thousands of patients a year who would otherwise not be able to receive care at our organization.

We published around this. We provided access not only numerically, but we're actually improving the quality of care that these individuals achieve and we're reducing their demand on the acute-care system. Some of the examples would be patients who receive home parenteral nutrition, for example. They can have follow-up with their lab results, their line, their wound care. We look at that as a way to prevent their development of complications of these various metabolic and line-related problems; catch them early and prevent them from presenting into the emergency departments with a septic complication or a metabolic complication. And there are many other examples.

They have to do with small-scale innovations that I've had the privilege of being involved in the end-to-end development of to now some larger scale. One of the great privileges, and I think perhaps one of the areas that attracted my candidacy for the board of eHealth Ontario, was being the clinical co-lead of the ConnectingGTA initiative, which has gone live. I think many of you may be aware, but it's part of the Connecting Ontario strategy where we're looking at essentially the whole province being connected with their electronic health records.

Mrs. Kathryn McGarry: Thank you. Having been a care coordinator for a CCAC, I've actually been able to pull up those lab results to be able to directly influence a time saving and a cost saving of resolving some of the parenteral nutrition issues that was facing a client I had, so I appreciate that.

I think, currently, we've got about eight out of 10 family physicians now who are using the electronic medical records. You think your experience, then, will help you to continue to develop eHealth in the future?

Dr. Peter Rossos: Just a comment, and I say this very humbly. We underestimated the benefit and the impact of the system on the CCACs. They're actually the greatest adopters of the use of the ConnectingGTA information, and I would also say, through their CHRIS system,

among the most valuable contributors now. We're able to not only have all of the data from the labs at the provincial level, with the acute care and mental health, but we now have meaningful results from out in the community care agencies. It's been a great advantage to all of us. Thank you.

Mrs. Kathryn McGarry: Thank you. I'm done.

The Chair (Mr. John Fraser): Thank you very much. Ms. Martins, you have about a minute.

Mrs. Cristina Martins: Dr. Rossos, thank you so much for being here today. I just wanted to say thank you for all of the work that you do. I know you're running back to run your telehealth clinic.

I just wanted to share that I was in Kingston last week and had the opportunity to visit the Kingston Community Health Centres there. They could not say anything more in terms of the benefits, praising telehealth and what it really means for their community. When you're talking about families that often have to come to Toronto because one of the children has to come to Sick Kids for post-operative or pre-operative consultations—all of that can now be done with telehealth, and I just thought it was fabulous. Mum doesn't have to be off work for the day and neither does Dad. The other siblings will stay in school that day. Thank you for all of that.

If there's anything that you can contribute or you want to continue to contribute to eHealth Ontario, what would that one piece be?

Dr. Peter Rossos: I think one of our—

The Chair (Mr. John Fraser): You have about 20 seconds.

Dr. Peter Rossos: Pardon me?

The Chair (Mr. John Fraser): Quickly.

Dr. Peter Rossos: Yes. I'd say two things to that, and quickly. One would be to provide that experience in a more seamless and integrated way. The systems that we have available, and I'll say ConnectingGTA is one of them, still lack in some of the performance targets that we would like from a clinical environment. I also think it's more important to make those types of systems more directly available to patients, their caregivers and the community at large.

The Chair (Mr. John Fraser): Okay, we'll probably have to leave it at that.

Dr. Peter Rossos: Perfect. Thank you.

The Chair (Mr. John Fraser): Thank you very much.

Mr. Yakabuski, you have 10 minutes.

Mr. John Yakabuski: Thank you very much, Chair. I'm delighted to get the same amount as everyone else.

Thank you very much, Dr. Rossos, for applying for the position and joining us here today.

We've been looking at this. You have a very impressive resumé. That is pretty obvious to anyone who's taken a look at it, so I'm going to confine my focus to eHealth itself.

I note that you've listed eHealth several times on your resumé. It's eHealth itself on your resumé, and it appears that you've been a member of a number of the agency's

councils. Can you tell us more about your work on these councils and how it has shaped your opinions on eHealth Ontario?

Dr. Peter Rossos: Yes. Thank you. I guess there would be three formal committees that I'm part of. One would be within the ConnectingGTA framework. There's a clinical working group that has basically been the group that's been responsible for the design of the various requirements that went into procurement and then essentially the design, implementation and adoption of the system moving forward. I co-lead that with a wonderful primary care colleague, Dr. David Daien, and we have an interprofessional group as part of our team.

The second would be that Dr. Daien and I, as members of that clinical working group, sit on the ConnectingGTA steering committee, which includes representatives from the various LHINs and the stakeholder organizations. The funders are eHealth Ontario and Canada Health Infoway. We're there to represent the clinical elements, the clinical working group.

Finally, this was a committee that was started—I have to look back—within the past year or so. It is a provincial clinical advisory council that the agency initiated. It reports directly to the board and it's co-chaired by a clinical colleague from Ottawa and Ms. Maidman, who's one of the board members. We meet in that clinical advisory council on a quarterly basis, I believe, and the emphasis there is primarily around clinical strategy and providing some clinical guidance to the agency and the board at large.

Mr. John Yakabuski: Thank you, and I apologize for maybe not listening closely enough to your address. Are you still practising as well?

Dr. Peter Rossos: Yes, I am.

Mr. John Yakabuski: You are a very busy person.

Dr. Peter Rossos: I feel honoured.

Mr. John Yakabuski: You're a very busy person. I can't imagine why this government is being so hard on doctors.

eHealth Ontario has been an albatross around this government's neck for years. Let's start with the 2009 Auditor General's report which concluded that taxpayers did not receive value for the \$1-billion investment in eHealth. The goal was for all patients to have an electronic health record in 2015.

As a doctor, I'm sure you can speak to the value of electronic health records. How do you believe the government can bring the 20% of family doctors who do not use electronic medical records on board?

Dr. Peter Rossos: I would say that there has been great success in the primary care space. As you point out, the adoption has gone over the past few years from about 40% to well over 80%. In terms of the remaining 20%, I think that so far, to be very frank, a lot of it has been around the carrots, whether they've been financial etc. I think we've reached a point in the health system today where if someone isn't connected within that e-health or electronic digital health environment, I would go as far as

to say that they're not practising the best quality and standard of care. It would be completely—

Mr. John Yakabuski: But how do we get them to come on board?

Dr. Peter Rossos: I think that's where there are peer elements that have to come into play. There are also college regulatory requirements that I think may come into play. At the end of the day, regardless of one's profession, if there are certain capabilities and certain dependencies on information sources or technologies that are part of one's occupation, you have a choice: You either adopt and implement them, or you look for work elsewhere, or you retire. I just want to be very frank—

Mr. John Yakabuski: Except we don't want 20% of our doctors retiring tomorrow, do we?

Dr. Peter Rossos: Not necessarily, but part of the fairness around that is to ask, if it is a significant percentage, what are the issues?

Mr. John Yakabuski: Okay, fair enough.
1510

Dr. Peter Rossos: So there may be some barriers, but I would say that the barriers are probably not technological. We should be able to address those.

Mr. John Yakabuski: Thank you very much, Doctor. Now, eHealth Ontario has made headlines with spending scandals. As a member, how will you balance respect for taxpayers' dollars with the huge demands on our health care system?

Dr. Peter Rossos: I guess I could answer that more as a taxpayer. Certainly we're at the point now, realistically—I think we all know the numbers. I'm not an expert on this, but the last time I looked, we're spending \$52 billion or so on health care in the province.

Mr. John Yakabuski: Somewhere around there, yes.

Dr. Peter Rossos: That's over 40% of our overall revenues. As a parent, again, who sees the pressures on the education system and everything, I think we're all sensitive to the crowding. There is no more money to be spent, right? We have various sorts of challenges. So we really do have to be smarter. I think our tolerance level around unnecessary redundancy, around perpetuating siloed initiatives that really don't advance quality of care, is where a lot of the challenges and the opportunities lie.

Mr. John Yakabuski: I appreciate that answer.

More recently, we learned that the government, and therefore taxpayers, were on the hook for \$26.9 million for eHealth's cancellation of the registry of diabetes patients—a cancellation, I must add, that the government promised would not cost taxpayers a cent.

I understand that you were not involved in any aspect of this decision, but I must ask your thoughts on this huge expenditure for which we received absolutely nothing. How is this conscionable when our hospital budgets are frozen and doctors' fees are being cut?

Dr. Peter Rossos: I'll do my best to answer, but thank you for acknowledging that I was not part of that particular situation.

I think the answer around that, and I'm not sure it's directly what you're looking for, is more preventive. I'll

be frank around answering this part of the element: Those of us who were involved in health care and e-health within the province, I think it's fair to say, did not believe that creating these registries would really contribute to the overall improvement in the system at large. I'm not saying that they were without value at all, but they were of limited benefit if you looked at the costs that were involved.

The reason I bring that up, and this is somewhat hindsight, is that I think, on a go-forward basis, it just indicates the need for broader engagement, the need for us to include patients and health care providers of various disciplines and to try to make decisions that have broader impact on the system and can generate more tangible improvements in the quality of care delivery or access.

In that particular situation, what disturbs me, other than the fact that those millions were paid out in settlements, is how it ever got to that position. Why did they commit that amount of money to that type of initiative when there are so many other ways that we can spend money in a more fruitful way?

Mr. John Yakabuski: So your commitment, to the extent that you have an advisory capacity or actual authority, is that you would venture to ensure that these types of things are not repeated?

Dr. Peter Rossos: That is correct. To the best of my ability, that absolutely would be true.

Mr. John Yakabuski: Thank you very much for joining us today. I appreciate that.

Dr. Peter Rossos: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Yakabuski.

Mr. John Yakabuski: You're quite welcome.

The Chair (Mr. John Fraser): Mr. Gates?

Mr. Wayne Gates: Doctor, how are you?

Dr. Peter Rossos: I'm great, thank you.

Mr. Wayne Gates: I certainly do appreciate your honesty on a couple of those questions from my colleague.

Dr. Peter Rossos: I hope I don't walk out regretting anything I said, but I'm being honest.

Mr. Wayne Gates: I don't think you will. I don't think you can ever regret telling the truth, and that's what you were doing. I think people like that, quite frankly.

I will say that I agree with you that health care has taken up a lot of our monies, but the reality is that I believe—and maybe you can correct me, if you'd like—that we have to find a way to get it to front-line workers and get it into our hospitals. A lot of it is going to P3s and profit and is not getting to the nurses and the people who need it and, at the end of the day, my grandparents or your grandparents.

To your point, I'm glad you raised it, but I really think there is a way to spend the money. I'm not so sure we're doing it in the right way. I guess e-health is one of those ones where I think you were pretty honest.

I'm going to ask you a question here—I think you've already answered it, but it's here and I wanted to put it into the record. In 2015, eHealth Ontario released a pro-

gress report showing that one in three Ontarians remain uncovered by electronic medical records software, and 20% of the doctors are still not using the EMR software in their practices. What plans do you have to ensure that the remaining Ontarians—which is key—and their doctors begin to use electronic medical records, and do you believe it would be in the best interests of public safety and for quality improvement in health care?

I know it's a big question, but I think you're quite capable of answering it.

Dr. Peter Rossos: I'll try to break it down. Perhaps I could look at the primary care space and the adoption of EMRs.

Certainly that's an area where we've had, I think, significant experience and success within Ontario, but also there are many other jurisdictions across Canada and across the world that have done this very well. My personal view—and I haven't been directly involved in a lot of the EMR strategy, which has been managed primarily through the Ontario Medical Association and their subsidiary. But the point there, at least philosophically, around the EMRs is that we have too many options right now. We have a number of these companies that are somewhat struggling, and I think there are still some issues around the type of software that's available for the primary care physicians to be using. Those are fairly small. I think those can be addressed in a fairly near- to short-term strategy and resolved. Then we should get very aggressive around the adoption—make it mandatory once we resolve a few remaining issues.

So I would say that's kind of an operational type of initiative. I don't think you need a lot of strategy around it. There are a few tweaks, and then it's time to get on with it.

The other element that you were sort of addressing is basically the patient health record, everyone having an electronic health record. I mean this in a very respectful way. At one point, I would have measured success by having every patient with an electronic health record. Now I think that is true, but I think what's most important—and I know there have been Auditor General reports etc., looking at the patients that most require the electronic health record: the frequent users of the system, the kind of people that we were discussing that go from the CCACs to the acute- to the chronic care arena. I think it's important that we have a health record that will support those types of individuals that are moving through the various sectors, because that will allow us to provide better care. So I would say that we should probably look at the meaningful use, the interoperability, and the way that we're addressing those people within the system who really require that digital information.

Numerically, just having the denominator around everyone—the 23-year-old that hasn't seen their physician, and maybe they need an immunization record, which—guess what?—we've pretty well tackled: For them, having an integrated electronic health record may not be as important.

So I may be somewhat dodging. I think there's an importance to look at not only who has an electronic record but what functionality is inherent and who needs it and how we are using it.

Mr. Wayne Gates: Since the creation of eHealth Ontario, it has come under fire repeatedly for different problems—and this is one that I think disturbs everybody—including massive payouts to departing top executives and, more recently, a \$27-million payment for a project that apparently was not properly delivered. What will you do to ensure that eHealth Ontario finally begins to operate in a manner that allows the people of this province—I think this is key—to have faith in it?

Dr. Peter Rossos: Once again, it comes down to accountability. My dealings with the current leadership at the agency have been quite positive. Again, I'm here primarily—and I'm not trying to dodge this in any way—as sort of a person with knowledge of health care informatics. I do have, through my various roles, exposure to governance etc., and I'm quite happy to go forward and look at that. But on a retrospective basis, I'm really not sure how those various contracts were signed and what their obligations were.

Mr. Wayne Gates: That's fair.

Dr. Peter Rossos: My naive understanding would be that even when government or government agencies legally bind themselves within these, they have to pay out. But again, I think the idea—and certainly if my eyeballs were on it, I would do my best to ensure that on a go-forward basis we're not creating situations where, as custodians of the public contributions to the system, they're going in the wrong direction.

Mr. Wayne Gates: The only advice I would give you is, read what you're signing, just a thought on that. A couple of things that I want to say—

Dr. Peter Rossos: It sounds like good advice, thank you.

1520

Mr. Wayne Gates: We've got the same problem with road maintenance, so there are other issues too.

A couple of things I do want to say: I don't believe that it's helping our health care—and you, as a doctor, would know better than me—to fight with our doctors. I think we have to find a resolution there. We have to make sure that we can all work together for the betterment of the patients in the province of Ontario. I want to make sure that I say that. We've got to get into a room, and if it's arbitration or whatever the issue is, let's get it done. I don't think it's helping patient care.

The other thing that I thought was a very good comment on your part was when you said, "Let's engage the patients; let's engage front-line workers; let's engage the doctors to talk about what's best for our health care." I think you're right on the money. I think that one of the things that is missing sometimes, whether it's this program or CCAC or whatever the programs are, is that we don't engage the front-line workers. They're there every day. They see the problems every day. I think that comment, coming from a doctor—the more you could

say that, I think it would help the quality of health care in the province of Ontario.

I thank you for your honesty and being here today.

Dr. Peter Rossos: Thank you for your comments.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Dr. Rossos, thank you very much for being here today. The time for questions has now ended. Thank you for presenting to the committee today. We'll be considering the concurrence just at the end of this meeting. You're welcome to stay. Again, thank you very much.

Dr. Peter Rossos: Thank you very much for that opportunity.

The Chair (Mr. John Fraser): We'll now move to concurrences. Our first concurrence is Mark Sakamoto, nominated as chair, Ontario Media Development Corp. Would someone please move the concurrence? Ms. Martins.

Mrs. Cristina Martins: I move concurrence in the intended appointment of Mark Sakamoto, nominated as chair, Ontario Media Development Corp.

The Chair (Mr. John Fraser): Thank you very much, Ms. Martins. Any discussion? All those in favour? Opposed? Motion carried.

Our second concurrence is Elizabeth Wilfert, nominated as public member, Council of the Royal College of Dental Surgeons of Ontario. Can someone please move the concurrence? Ms. Martins.

Mrs. Cristina Martins: I move concurrence in the intended appointment of Elizabeth Wilfert, nominated as public member, Council of the Royal College of Dental Surgeons of Ontario.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

We'll now consider the concurrence for Thomas Teahen, nominated as president of the Workplace Safety and Insurance Board. Ms. Martins?

Mr. Wayne Gates: Chair.

The Chair (Mr. John Fraser): Mr. Gates?

Mr. Wayne Gates: Could we have a recorded vote too, please?

The Chair (Mr. John Fraser): Yes, recorded vote.

Mrs. Cristina Martins: I move concurrence in the intended appointment of Thomas Teahen, nominated as president, Workplace Safety and Insurance Board.

The Chair (Mr. John Fraser): Any discussion?

Ayes

Gates, Malhi, Martins, McGarry, Mileczyn.

Nays

Hardeman, Yakabuski.

The Chair (Mr. John Fraser): Thank you very much. It's carried.

Our next concurrence is for Bryant Greenbaum, nominated as member, Animal Care Review Board; Fire

Safety Commission; Licence Appeal Tribunal; Ontario Civilian Police Commission; and the Ontario Parole Board. Will someone move concurrence? Ms. Martins?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. John Fraser): Recorded vote, as well.

Mrs. Cristina Martins: I move concurrence in the intended appointment of Bryant Greenbaum, nominated as member, Animal Care Review Board; Fire Safety Commission; Licence Appeal Tribunal; Ontario Civilian Police Commission; and the Ontario Parole Board.

The Chair (Mr. John Fraser): Any discussion?

Ayes

Gates, Malhi, Martins, McGarry, Milczyn, Yakabuski.

Nays

Hardeman.

The Chair (Mr. John Fraser): Thank you very much. The motion is carried.

Our last concurrence is for Dr. Peter Rossos, nominated as member, eHealth Ontario. Ms. Martins?

Mrs. Cristina Martins: I move concurrence in the intended appointment of Peter Rossos, nominated as member, eHealth Ontario.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion is carried.

That brings us to the end of the meeting. Thank you all very much and we'll see on the 16th.

The committee adjourned at 1525.

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 16 February 2016

Mardi 16 février 2016

The committee met at 0901 in committee room 1.

The Chair (Mr. John Fraser): Welcome back to another session. It's good to see all of you. Did I interrupt something?

Mrs. Marie-France Lalonde: We're just watching the Speaker.

Mr. Randy Pettapiece: Look at his beard.

The Chair (Mr. John Fraser): Sorry to interrupt.

Mrs. Marie-France Lalonde: Sorry.

The Chair (Mr. John Fraser): Welcome back to public appointments in government agencies. It's good to see everybody.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): As our first order of business, we have a subcommittee report. Can I have someone put that forward? Mr. Pettapiece.

Mr. Randy Pettapiece: Thank you, Chair. I move the adoption of the subcommittee report on intended appointments dated Thursday, February 4, 2016.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Any discussion? All in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MR. CAL McDONALD

Review of intended appointment, selected by official opposition and third party: Cal McDonald, intended appointee as member, Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario.

The Chair (Mr. John Fraser): We have two appointments today to consider. Our first intended appointee is Cal McDonald, nominated as member, Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario.

Mr. McDonald, can you please come forward? Thank you very much for being with us this morning. You'll have time to make a brief opening statement. Any time that you use for your opening statement will be taken from the government's time for questions. The questioning will begin with the official opposition. Mr. McDonald, you may proceed.

Mr. Cal McDonald: Thank you, Mr. Chair and fellow committee members. It's a privilege to have the oppor-

tunity to provide some introductory comments regarding my experience and qualifications.

I have 30 years' experience at the management senior executive level with the Ontario public service. I retired in 2013 as assistant deputy minister with the northern development division for the Ministry of Northern Development and Mines. My responsibilities included, but were not limited to, the oversight of four agencies: the Northern Ontario Heritage Fund Corp., Ontario Northland Transportation Commission, Owen Sound Transportation Co. and Northern Ontario Grow Bonds Corp.

I was the ministry executive lead for the development and implementation of ServiceOntario in northern Ontario. I co-led the development and implementation of a 25-year growth plan for the north, and was executive lead for the economic recovery of the community of Elliot Lake following the mall collapse. I was responsible for the northern highways transportation program, including the four-laning of Highway 69. I developed and implemented an integrated approach to economic development in northern Ontario. I was also the ministry executive lead for the development of the Northern Ontario School of Medicine. I implemented recruitment strategies for health care professionals including bursaries, incentive grants, medical/dental clinics, health recruitment tours, eye/dental plans, etc.

Ensuring effective governance was my primary responsibility. My engagement encompassed all aspects of governance, including legislation, policies, programs, strategic planning processes, accountability, decision-making transparency, performance evaluation, and consultations, of course—people and relationships.

My education background includes a master of science degree, an honours bachelor's degree of physical and health education, and certificates from Queen's policy for executives and Western's Ivey executive business program. I believe that my education and diverse background would be an asset to the council.

To gain a better understanding of the council, I reviewed the college's website, mandate, the governing legislation, including the Regulated Health Professions Act and the Traditional Chinese Medicine Act, annual reports, current challenges, committees and reports.

In conclusion, if approved as a public appointee, I believe that I can contribute to the council's mandate of providing accessible, safe, competent and ethical traditional Chinese medical services and would accept my responsibility to serve and protect the public interest.

The Chair (Mr. John Fraser): Thank you very much, Mr. McDonald.

Mr. Bailey?

Mr. Robert Bailey: Thank you, Mr. McDonald, for appearing here today. I've got two or three questions here.

According to news articles, there have been practitioners and organizations practising traditional Chinese medicine without licences. The Ontario Superior Court has ruled they must stop this practising. We know from experience that this has been a serious problem, with some organizations even pretending to be regulators of Chinese medicine. How do you see the college, if you're a member, being able to stop that and clamp down on these actions?

Mr. Cal McDonald: I think there's a process well under way to manage that in terms of making sure that everyone is qualified. Obviously, the bottom line is, there can be no risk to the public, to the patient in general, and that can't be compromised. I do think there is a due diligence process in place: that you have to be certified through the college to practise, and if not, you go to court. And there's the act itself, the Chinese medicine act; there are a few provisions in there for fines, and otherwise where you can't practise.

I think there are the rules of law to enforce. Either you're registered with the college, have been validated as being certified and have the appropriate experience and you practise accordingly—you're following the standards of practice that have been outlined by the act—or, if not, you don't practise.

Mr. Robert Bailey: This board would certainly be a different type of work experience—

Mr. Cal McDonald: Yes.

Mr. Robert Bailey: —than what you've been involved with most of your career with the public service. Can you explain why you have decided to apply to this board and if you have any experience—I didn't see it in your resumé, but maybe you do—in the field of traditional Chinese medicine or acupuncture?

Mr. Cal McDonald: In the field of Chinese medicine and acupuncture, I have no experience. I'm a public appointee. I assume they have technical people that are expert in that area, but I do consider myself more of an expert in the aspect of governance. I know it's a far reach from four-laning a highway to Chinese medicine, but in the context of governance, accountability, transparency, processes, value for money, people, relationships—all of those things transfer from one sector to another.

Mr. Robert Bailey: Okay. This is back to your former career, specifically being involved with the sale of Ontera: It's my understanding that there were significant job losses in northern Ontario, and I've seen articles where it said that it cost the taxpayers at least \$61 million. Do you feel that the—well, I guess you had to implement it; you were the deputy minister at the time, so obviously you supported it. Do you see any possibility that the public could have a lack of trust because of decisions that were made there and now in this new role

that you'd have to implement if you were a board member?

Mr. Cal McDonald: Not at all. No, I would have a hard time drawing that connectivity. Ontera's been around for 114 years—not Ontera; the ONTC, pardon me—so they have a long history. With over 1,000 employees, the overall ONTC is a huge employer for northern Ontario. It provides a transportation network, the Polar Bear Express, into Moosonee, Moose Factory—critical, critical infrastructure. The decision was made by the government of the day to send Ontera back to the private sector, to cancel the passenger train, and I guess it reaches a level of what level of subsidy is acceptable. But making some translation, if that's what you're inferring, in terms of the decision on Ontera, and that that would somehow impact or skew someone's perception of my abilities on this council, I would have a difficult time connecting those dots. I think the rest of my resumé will stand for itself.

Mr. Robert Bailey: I guess, to sum up—did you have anything right now?

Mr. Randy Pettapiece: I just wanted to continue on with that question, if I could.

The Chair (Mr. John Fraser): Sure. Mr. Pettapiece.

Mr. Randy Pettapiece: I can understand your answer to that question, certainly, but you were connected with it, as the deputy minister—

Mr. Cal McDonald: Assistant deputy minister.

Mr. Randy Pettapiece: I'm sorry, assistant deputy minister. You can understand, if the public is following these proceedings, especially those from the north who see that you were there when this happened, that it can be inferred—it's just an inference here. It's what the public perceives as to maybe what's happened, because ministers do take advice, I'm sure, from their civil service. That's why I believe my friend Mr. Bailey asked that question. It may be something that you might have to get over.

0910

I have a question here. The college has dealt with a number of issues in the legal system. Do you foresee any particular challenges confronting the college in the short- or long-term future, and how can you contribute to responding to these challenges?

Mr. Cal McDonald: I think in the future, quality assurance, as the other honourable member had mentioned, will be an issue. That's going to be ongoing. People would have to be certified by the college, and I think there has to be a due diligence process in place to maintain that.

There will be an evolution over time. There is now an emphasis on wanting to have accreditation as doctor. I would think that would probably evolve to specialists, other fields of specialty and wanting to advertise those services. That will no doubt evolve over time as well.

I would think there would be a stronger inclination to build more synergies in alignment with the other 28 health professions that fall under the Regulated Health Professions Act. There would be some natural synergies

in how they could join together in clinical training or in different areas. So I think that will evolve over time as well.

My particular involvement in that: From a public-interest point of view, their health, their safety, can't be compromised, so you obviously have to have an accredited, certified practitioner in place, and I think the college has a mechanism in place to do that.

Moving forward, if there was, for example, a trend to expand the focus or scope of the area of practice—currently the Traditional Chinese Medicine Act has a very defined scope of practice. Obviously, you have to open up the act, and there would be a huge change in the rules of law. There's an incredible process to do that.

I'm obviously very familiar with the government and its processes—due diligence and how that works. I see the big picture. I very much spent my career in risk analysis, doing analytics. I think I have a good lens. I think my value would be really looking at what the downside would be: "You can do this. You can do that. Here are the pros and cons." That was my career for 30 years. The government of the day—I worked for all parties over 30 years. I gave them all fearless advice: "That may be your recommendation, but here are some pros and cons and here are some alternatives that may be more value for money, may be more efficient and much easier to implement."

Mr. Randy Pettapiece: I think you said previously that you rely on those in the know, people who knew about the business of Chinese medicine, to do this.

Mr. Cal McDonald: Clearly.

Mr. Randy Pettapiece: As I understand it, you would be making your decisions on advice that you receive from those people, who are supposed to know what they're talking about. Is that how you're going to define your job?

Mr. Cal McDonald: Yes. A self-regulated profession. I get information from them. One thing I always do is, I do a jurisdictional review: What's happening in BC and Quebec and Newfoundland? What has been their experience? What has been going on in other countries, other jurisdictions?

When I move forward, if I'm looking at legislation, I've always had the benefit of lawyers and policy advisers. I've always had their input as well. That's one good thing about government: There's an incredible amount of expertise that you can draw upon. You can never take credit for—even my resumé, I can't take credit for that; obviously, there are hundreds of well-qualified, competent people who allowed me to achieve any of those things. You really have to rely on all of that expertise around you.

Mr. Randy Pettapiece: Okay. Thank you, Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Mr. Gates?

Mr. Wayne Gates: Good morning, sir.

The Chair (Mr. John Fraser): Good morning, Mr. Gates.

Mr. Wayne Gates: Welcome back, everybody. Happy new year.

How are you doing, sir?

Mr. Cal McDonald: Very good, thank you.

Mr. Wayne Gates: Very good. Cal, I've just got a couple of questions here. Again, we are provided some information. It was submitted to the PAS that you don't seem to have much experience in the field of traditional Chinese medicine. Given that, I'm interested to know what led you to seek this particular appointment.

Mr. Cal McDonald: I've always had a keen interest in health, starting with my educational background. I was a manager of health policy at one time. I had the advantage of working—the Ministry of Northern Development and Mines had a geographic mandate, so we basically we were involved in everything; we stepped on everyone's toes. You're interpreting everyone's legislation. I worked very closely with the Ministry of Health and Long-Term Care in the north. It's probably the number one issue in the north, next to jobs. As the demographics shift, it's probably going to be health. You can assume that if you're unemployed and you don't have a pension, it's your health. It'll probably become the number one priority; if it isn't now, it's very close. So it has always been very close to my heart.

I was very much involved in the med school. I spent years on the whole recruitment of physicians, allied health professions and PT/OTs across northern Ontario. I did apply to the North East LHIN as well, and something else—I think it was called HealthForce.

Mr. Wayne Gates: Yes.

Mr. Cal McDonald: But I did apply to the North East LHIN as well, the local health integration network. So I've always had an interest in health, and I still do today. I do a lot of reading in the area. It's just that, through my career and as things developed, I ended up spending a lot more of my time in economic development, but I ended up in a position where I could cherry-pick occasionally and spend a little more time in the health files that made sense.

Mr. Wayne Gates: I'll certainly agree with you that health is one of the biggest issues, not just in the north—

Mr. Cal McDonald: It's huge.

Mr. Wayne Gates: —but right across the province of Ontario. The cuts that we're going through are certainly challenging.

The other thing that I'll just add: I'm the transportation critic and the north has lots of issues. I saw that you did some work there. The north certainly has lots of challenges with their roads as well.

Do you use, or have you ever used, traditional Chinese medicine on a regular basis? And what services?

Mr. Cal McDonald: I think a bit of acupuncture on a hip, modalities of that nature, but I haven't been a practitioner of the services, no. I have limited services of any kind—

Mr. Wayne Gates: So it wasn't on a regular basis?

Mr. Cal McDonald: No.

Mr. Wayne Gates: Did your hip get better?

Mr. Cal McDonald: Yes. Well, better—it's not perfect.

Mr. Wayne Gates: Well, no disrespect, sir, but as we get older, our hips don't come back. I played a lot of sports; I can relate to it.

Mr. Cal McDonald: I think it's called rust.

Mr. Wayne Gates: Yes, it is.

Many practitioners of traditional Chinese medicine will understandably want to study, or will have studied, overseas rather than in Canada. As part of the regulated body for the profession, you'll be required to help ensure that anyone educated overseas meets Canadian standards. How will you handle the balance between ensuring practitioners meet Canadian standards and also ensuring that they will be able to conduct their practice in a manner that they have been trained to do, with the number one issue being, obviously, public safety?

Mr. Cal McDonald: I agree: It's a challenge, and you have to show extreme sensitivity. But you made the key point, that the bottom line is public safety. That's the baseline that we have to work from. Then you work back from there and see if you can't determine a process of qualification, maybe upgrades, or various steps of certification that people could go through to practise—language etc. At the end of the day, there can be no compromise to public safety or their individual health. Obviously, it has its own unique features, but medical doctors as well come from other jurisdictions and have to be recertified and go through before they can be placed within the health care system in Ontario. So there are well-established procedures to do that. I think, from my perspective, it's really being that lens to make sure that there isn't any compromise, that no one's going to get an inferior level of care, or anywhere that they would be compromised because this person hadn't had the appropriate training or had subliminal qualifications. That's not acceptable.

Mr. Wayne Gates: Traditional Chinese medicine: Do you believe it's growing in Ontario?

Mr. Cal McDonald: Is it growing?

Mr. Wayne Gates: Growing—more people using it as a—

Mr. Cal McDonald: I think, nationally and internationally, all of the alternative medicines are probably gaining more traction as they gain credibility in terms of people who are being healed or different modalities that are actually working for them in combination with traditional medicine. So I think it has its place.

Mr. Wayne Gates: Do you feel or foresee any particular challenges confronting the council in the near future? And how does the witness expect to contribute to responding to these challenges?

Mr. Cal McDonald: I think the language will be an issue, French or English. I think there has to be, obviously, some training and there has to be a program put in place to show that there is some developmental work being done to make that transition take place.

I saw a court ruling in one of the minutes, an individual—one of the council members said that, because of the sensitivity, she should be able to speak that language, but somehow there would be a translation into the health

care system. That was a bit disconcerting when I read that statement, when you think of how things can be mistranslated if you're going through a doctor or going through a nurse or going through a pharmacist or going to a hospital. So those things would have to have very, very strict—from my perspective, very rigorous—checks and balances that the care is not being compromised. So language would be an issue.

0920

As I mentioned earlier, I think that there is going to be pressure to expand the scope over time. I would think that's a natural evolution. I'm not reading tea leaves; I think it's just a natural evolution of any profession. That would have to be looked at very carefully through a professional lens and in terms of the whole health community, where it would fit and how it would apply.

Other specialties: I would think at some point the health practitioners will want to say, "Yes, I'm a Chinese practitioner of traditional medicine but I have a specialty in dermatology" or something—in endocrinology or whatever one of the specialty areas it might be. So there might be some evolution happening in that area as well that the board would have to get in front of on certification and who is qualified and how it would be registered and, again, protecting the patient at all costs, that they were going to get the service that they were entitled to in a timely fashion.

Mr. Wayne Gates: Yes. The most important part here is the patient, and the scope is one that I think you'll really have to watch.

Mr. Cal McDonald: Oh, clearly, but I think it's out there.

Mr. Wayne Gates: It is out there, but it's out there with a lot of other professions as well.

Mr. Cal McDonald: Yes.

Mr. Wayne Gates: Everyone wants to expand their scope. That's kind of where we are heading, right?

Mr. Cal McDonald: Yes. One of the minutes did reference where they had some synergies between a number of the 28 health professions, where the traditional Chinese medicines and others have worked together in clinical training. I thought that was excellent. Theoretically, that makes sense; yes, okay. But from a practitioner's point of view, that doesn't always happen. So that was excellent, and I think there could be a lot more work done in that area because, really, you're being treated by a team, and if they're all working together and they're sharing the same patient and have the same kind of clinical processes, the same kind of filing, it allows the flow of information and makes it a lot easier for the patient to move among those team members. I think there will be more of that in the future. Just by necessity they're going to be forced to do it because it's the same patient, right?

Mr. Wayne Gates: Yes, it is. Thanks very much. I appreciate it.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Madame Lalonde.

Mrs. Marie-France Lalonde: Thank you very much, Mr. Chair, and good morning, Mr. McDonald. How are you doing?

Mr. Cal McDonald: Very good, thank you.

Mrs. Marie-France Lalonde: I want to say thank you for all your years working as a public servant. I know you mentioned 30 years. You bring great knowledge, I am sure. As I understand, you will be sitting as a public member on this new board. How will those 30 years of experience as an ADM, at the end of your career, help our college?

Mr. Cal McDonald: With my 30 years, it's the experience, the expertise, the skill, and, like I said, it really doesn't matter if you're dealing with infrastructure or you're dealing with—all the elements are going to be the same: the accountability, the decision-making and that broader context of governance: how things are done. I've always had a keen interest in the client, how they're served in a timely manner and if they're getting value for money.

I'm interested in a self-regulation context, how that works. That was of interest to me as well, when I looked at the colleges and how they're governed. The ABCs of government are a huge part of the government's mandate and budget, so it's interesting to look at governance in that context. I think that's what I can bring to the table. I can bring that value, that experience, because most of those things I've done before in one shape or another.

Mrs. Marie-France Lalonde: Very good. Thank you very much, and we look forward to seeing you at this college.

The Chair (Mr. John Fraser): Thank you very much, Madame Lalonde.

Mr. McDonald, thank you very much for appearing before us this morning. We will consider the concurrences at the end of this meeting. You're welcome to stay. You may step down now. Thank you very much.

Mr. Cal McDonald: Sure. Thank you.

MS. SANTINA MOCCIO

Review of intended appointment, selected by official opposition party: Santina Moccio, intended appointee as member, Animal Care Review Board (Safety, Licensing Appeals and Standards Tribunals Ontario).

The Chair (Mr. John Fraser): Our next intended appointee is Santina Moccio, nominated as member, Animal Care Review Board (Safety, Licensing Appeals and Standards Tribunals Ontario). Ms. Moccio, can you please come forward? Thank you. Have I pronounced your name correctly?

Ms. Santina Moccio: You did. Yes, you did, sir.

The Chair (Mr. John Fraser): Thank you very much for letting me know that.

You will have time to make a brief opening statement. Any time that you use for your opening statement will be taken from the government's time for questioning. The questioning will begin with the third party.

Thank you very much, and you may begin.

Ms. Santina Moccio: Thank you. Good morning, Mr. Chairman and members of the standing committee. I appreciate the opportunity to appear before you regarding my candidacy as an intended cross-appointee to the Animal Care Review Board.

I'm an experienced independent adjudicator. I'm a member of the Society of Ontario Adjudicators and Regulators. I was selected to serve on the Ontario Parole Board through a competitive, merit-based competition in 2007.

The Ontario Parole Board is a tribunal under the same cluster structure of Safety, Licensing Appeals and Standards Tribunals Ontario, as designated by the Adjudicative Tribunals Accountability, Governance and Appointments Act, or ATAGAA.

I have successfully discharged my duties as an independent, unbiased adjudicator to meet the Ontario Parole Board's mandate dedicated to the process of promoting public safety by making responsible decisions and assisting with offender reintegration.

Prior to this, I worked as a legal assistant and as a law clerk since 1989. Throughout the years, my education and professional life have remained within the legal realm. I have a great deal of experience in chairing hearings, formulating and writing decisions, applying policies, procedures, statutes and guidelines. I have analyzed expert reports. I have adjudicated and composed written decisions along with the rationale to support them. I consider the evidence of witnesses, experts and victims when preparing for and considering cases.

My experience has allowed me to develop the skills necessary under tight timelines to analyze information and render a decision immediately following the hearing. I follow policies and procedures to ensure issues are clearly identified and communicated. I conduct hearings that set the tone for equal, active and open dialogue and information exchange. I've been fortunate enough to conduct hearings both in person and by video in a dignified manner, without bias or prejudice, showing respect and fairness for all parties.

My experience and ongoing training while a member of the Ontario Parole Board has further enhanced my skills and abilities. My role has grown progressively within the Ontario Parole Board. I'm often called upon to sit on complex hearings and to chair high-profile hearings. My reviews have been positive.

I participated in aboriginal circle hearings, hearings of female offenders and hearings with victims present. I've received training on mental health related issues. As a result, I'm acutely aware of how mental health can impact one's life. I have received training in cultural diversity, risk assessment and concepts of administrative justice, among other training modules. My hearings have included unrepresented parties and those with their lawyers present.

I find that there are many similarities in the adjudicative process, regardless of the purpose or subject under which it's being carried out. Cross appointments allow for the benefit, skill and insight of experienced adjudicators.

cators like myself to apply our knowledge in various other boards, such as the ACRB. My adjudicator training and experience are immediately transferable to the ACRB or any other board within the cluster.

Over the last few years, under the legislation of ATAGAA, administrative responsibility for several adjudicative tribunals was transferred to a cluster structure. This initiative promotes efficiencies and access to justice, and has promoted a more user-friendly manner within which to resolve disputes. The courts are indeed backlogged, and individuals may find the court system expensive, daunting or intimidating. Clustering and administrative justice offers a more accessible, more cost-effective way to address the dispute, especially for self-represented individuals.

Another benefit to clustering is the opportunities it creates for capacity within and across the tribunals. This increased capacity can come from enhanced professional development, and it can also come from having more members to assign to hearings. Cross appointments of members to sit on two or more tribunals within SLASTO can provide benefits in both these particular areas.

I've received, as I mentioned, Ontario Parole Board-specific training, but I've also received SLASTO cluster-wide training offered by our executive team under the leadership and guidance of our executive chair. I have attended all professional development conferences, and as such, in addition to training, I've become familiar with the work of the other tribunals within our cluster.

I am interested in this appointment to the ACRB to apply my transferable skills to a new board and to broaden my knowledge and adjudicative experience. I'm very enthusiastic about our new cluster and wish to take advantage of the opportunities that the structure offers in providing individuals in our communities throughout the entire province with accessible, fair and respectful dispute resolution.

0930

To prepare to serve on the ACRB, I reviewed its mandate, its mission, and I'm aware of its legislation; that is, the Ontario Society for the Prevention of Cruelty to Animals Act. In addition, at our cluster's most recent training conference, I attended a session focused specifically on the work of the ACRB. With specific regard to animal care and my exposure to that, my hearings for the Ontario Parole Board have also included offenders incarcerated for animal-related offences.

As you've seen from my resumé, I am a long-time community volunteer. My CV outlines the breadth of my experience in community involvement over many years. This includes serving on boards and committees for the Hamilton Police Service, literacy organizations, children and youth, women's issues and the marginalized. I was a finalist for the YWCA Hamilton 2009 woman of the year award for community service. My volunteer experience is varied and demonstrates my versatility and adaptability.

With regard to individuals appearing before the ACRB, I understand that this can include members of the

farming community. My experience with the farming community comes from serving as vice-chair of the Hamilton Conservation Authority. To address farmland-related concerns, under my leadership we created a liaison committee including key Hamilton Conservation Authority staff and also including members of the local farming community to engage in outreach, education and feedback exchange.

I am confident that my skill set and experience mentioned make me an ideal candidate for this cross-appointment, and I thank you for your consideration.

The Chair (Mr. John Fraser): Thank you very much, Ms. Moccio. Mr. Gates?

Mr. Wayne Gates: Good morning. How are you?

Ms. Santina Moccio: Fine, thank you.

Mr. Wayne Gates: That was a very good presentation.

Ms. Santina Moccio: Thank you.

Mr. Wayne Gates: Do you have any pets of your own?

Ms. Santina Moccio: Not at the moment, but I have in the past. I've had pets as a child, and as an adult as well, but at the moment I do not.

Mr. Wayne Gates: Okay. As a member of the Animal Care Review Board, you will hear from individuals who have had their pets seized. Currently in this province, some breeds of dogs are essentially illegal to own and can therefore be removed from their owners. What is your opinion of so-called breed-specific legislation in Ontario?

Ms. Santina Moccio: With regard to the legislation, one must follow the legislation. If a specific breed is prohibited, then it would be removed.

Mr. Wayne Gates: That's your opinion?

Ms. Santina Moccio: That's my knowledge.

Mr. Wayne Gates: I think you might even have touched on this, but maybe you can elaborate, if you like: In your 18 years in the legal profession, mostly in the area of criminal law, from what I see, were you ever involved in a case that involved an animal attack? Were you involved in any other cases that might be relevant to your role on the board?

Ms. Santina Moccio: During my professional life prior to my adjudicating life, no, there weren't criminal matters involving animals. However, as I mentioned in my intro, cases before the Ontario Parole Board—my hearings in particular—have included those incarcerated under the OSPCA Act for mistreatment of animals.

Mr. Wayne Gates: What do you believe are the major challenges to be faced by the ACRB in the foreseeable future?

Ms. Santina Moccio: One of the challenges, I believe, would be its perception of heavy-handedness. The whole experience can be very daunting, especially for self-represented parties involved, those without a lawyer.

The ACRB process also, I know, has very tight timelines. An appeal must be launched within, I believe, five days of the animal being seized, and then a pre-hearing conference needs to happen within 10 business

days of that. A way in which to mitigate that would be to change that perception. The ACRB has moved in the direction of conducting pre-hearing conferences in an effort to resolve the issues at hand before it gets to a hearing stage.

Mr. Wayne Gates: So you'd like to see it being a little more open and transparent, particularly for people who don't have the money to get a lawyer? There have to be other ways to do it.

Ms. Santina Moccio: Absolutely.

Mr. Wayne Gates: Okay. Thanks very much.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates. Mr. Rinaldi?

Mr. Lou Rinaldi: Yes. Thanks very much. Sorry.

Interjection.

Mr. Lou Rinaldi: What are you talking about?

Mr. Wayne Gates: Sorry. Go ahead.

Mr. Lou Rinaldi: Thank you very much for being here today. Obviously, your presentation, as my colleague mentioned prior to me, was quite impressive.

Ms. Santina Moccio: Thank you.

Mr. Lou Rinaldi: Can you maybe elaborate a little bit, from your experience—oh. Sorry. I'm on the wrong page here. I apologize.

Your role that you play now, as an adjudicator: Can you emphasize a little bit more how that would best serve the role that you're hoping to fulfill?

Ms. Santina Moccio: Absolutely. The skill set required is that of fair, unbiased adjudication and mediation—I have nearly a decade's worth of experience in that—especially given that more self-represented parties are going to mediation and prehearing conferences in an effort to avoid the court stage.

As I mentioned before, courts are backlogged. It's very expensive and it can be very intimidating for those who don't have legal representation. My experience includes all of the training I've received that I mentioned in my introduction and it includes—the majority of the hearings that I adjudicate on are with self-represented parties. They don't have their lawyers present. It can be very emotional. I'm very well aware and experienced in mental health issues that could tie into that. I believe my skills, as I've described them, are immediately transferable to the ACRB.

Mr. Lou Rinaldi: Thank you. You mentioned just a minute ago about the emotional piece. I know that with some folks, animals—well, the same as human beings. It becomes an attachment.

Ms. Santina Moccio: A member of the family.

Mr. Lou Rinaldi: That's right; a very emotional attachment. We had two dogs and three cats at one time in my house. I know how that feels.

So you feel your skills will be able to separate the emotion from the issue?

Ms. Santina Moccio: Absolutely. Again, my experience is in conducting a fair hearing. It includes experience in conducting a respectful hearing for all parties involved. I make sure that the party involved understands the proceedings, understands what's going on, and I

render my decision in clear, plain language. I make sure he or she understands that throughout the entire process.

Mr. Lou Rinaldi: Thank you very much. Thank you and good luck.

Ms. Santina Moccio: You're welcome. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Mr. Pettapiece.

Mr. Randy Pettapiece: May I ask the proper pronunciation of your last name?

Ms. Santina Moccio: It is Moccio.

Mr. Randy Pettapiece: Moccio, okay. Thank you. I have a long name and I get asked stuff like that all the time.

Anyway, I didn't hear a lot of agriculture experience in your background. Can you give us an overview of what experience you have in the agriculture field?

Ms. Santina Moccio: Absolutely. I mentioned that, as vice-chair of the Hamilton Conservation Authority, my experience with farmers comes with that. There were issues that came up with respect to crop drainage, for example, when the farmland would abut onto conservation-authority-owned land, and so we struck up a committee approved by the board that included key senior staff of the Hamilton Conservation Authority. We also included members of the local farming community. It was sort of a liaison committee to mitigate any issues before they became large or hard to manage, and it has worked out quite well. It's been a very respectful process and there's information exchange and positive feedback.

Mr. Randy Pettapiece: But you will be dealing—we had a number of issues with the OSPCA. What would the conservation authority experience give you when dealing with animals? I don't understand. You'll be dealing with cases to do with animals.

Ms. Santina Moccio: Correct. My previous answer addressed my experience with farmers, but with regard to animals and the ACRB, as I mentioned to member Rinaldi, the skill set required is fair, respectful adjudication. I have nearly a decade of experience with that. With regard to the emotional aspect, as I mentioned before, animals are considered a member of the family, and I know that, myself personally, I have experience in mediation with regard to my involvement on the children's aid society. This involves parents whose child has been removed from their custody and from their care. So I understand that emotions can run high, and I know how to deal with that.

Mr. Randy Pettapiece: I would suggest that animals are a little bit different than children.

Do you know what downer cow syndrome is?

Ms. Santina Moccio: Pardon me?

Mr. Randy Pettapiece: Downer cow syndrome?

Ms. Santina Moccio: No, I do not.

Mr. Randy Pettapiece: Umbilical ruptures? Do you know what animal that pertains to?

Ms. Santina Moccio: I don't have specific animal experience.

Mr. Randy Pettapiece: I see.

Ms. Santina Moccio: My experience is adjudicative.

Mr. Randy Pettapiece: Many individuals who have to file an appeal to the board cannot afford the legal representation. I think you answered that a little bit over here, but could I hear that answer again? What would you do that would help that out?

Ms. Santina Moccio: Well, once again, it's an effort to resolve the dispute before it gets to the court process. The court process is expensive, and perhaps the party can't afford to hire a lawyer, so this process addresses that fairly, openly, transparently and respectfully.

Mr. Randy Pettapiece: Well, I'll tell you about a case that happened in my riding. I come from rural Ontario. We are very heavily populated with animals, and the OSPCA walked onto this guy's yard—he scared the daylight out of him. He was so frightened that he didn't even go to the legal system; he just paid the fine to get them off of his back. He was doing what we had considered normal farm practices for years, yet somebody decided to not change the rule a bit but to enforce some rules that were on the shady side. The farmers that I know do not disrespect their animals. They feel bad when a cow goes down or when a hog dies or whatever. But there are ways of shipping hogs that aren't going to make it to market, and he was donating that meat to food banks. He shut that process down because he's so frightened of the OSPCA. I have difficulties with understanding—because of your parole board experience, and whatever experience you've had—how someone on this board, with no farming experience and who does not know the issues out there, can do a job with this type of an issue, other than with this type of board. I hope you're not in over your head, but it's difficult for me to understand why anyone who doesn't come from a farming background, or who at least hasn't studied it before they applied to this type of board, would be applying to it.

Why did you apply to this board?

Ms. Santina Moccio: I applied to this board because I'm very interested to apply my transferrable skills to a new board. I want to broaden my knowledge and impartial adjudicative experience—and the adjudicative experience is transferrable to any board within the cluster. I'm enthusiastic about the new cluster and I wish to take advantage of the opportunities that that structure offers while continuing to serve the people in the province.

Mr. Randy Pettapiece: Thanks, Chair.

The Chair (Mr. John Fraser): Ms. Moccio, thank you very much for appearing before us this morning. We'll consider the concurrences right after you step down. You're welcome to stay. Again, thank you very much.

Ms. Santina Moccio: Thank you.

The Chair (Mr. John Fraser): You may step down.

Okay, we will consider the concurrence. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Cal McDonald, nominated as member, Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? The motion is carried.

Congratulations, Mr. McDonald. Thank you very much.

We will now consider our second intended appointee.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Santina Moccio, nominated as member, Animal Care Review Board (Safety, Licensing Appeals and Standards Tribunals Ontario).

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Any discussion? All those in favour? Opposed? The motion is carried.

Congratulations, Ms. Moccio. Thank you very much.

Thank you very much. The meeting is adjourned.

The committee adjourned at 0945.

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Official Report of Debates (Hansard)

Tuesday 23 February 2016

Journal des débats (Hansard)

Mardi 23 février 2016

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

Nominations prévues



Chair: John Fraser
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 23 February 2016

Mardi 23 février 2016

The committee met at 0900 in committee room 1.

The Chair (Mr. John Fraser): Good morning, everyone, and welcome back to Tuesday morning public appointments and government agencies. I would like to welcome our newest member, Lorne Coe.

Mr. Lorne Coe: Thank you, Mr. Chair.

The Chair (Mr. John Fraser): I'm glad you could be here today.

We have one intended appointee today. But first, we have our subcommittee report to deal with. Would someone like to move it? Mr. Gates.

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, February 18, 2016.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Wayne Gates: My pleasure.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MS. HELEN BURSTYN

Review of intended appointment, selected by official opposition party: Helen Burstyn, intended appointee as member, Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): We have one intended appointee today. That intended appointee is Helen Burstyn, nominated as member, Toronto Waterfront Revitalization Corp. Ms. Burstyn, can you please come forward? Thank you very much for being here this morning.

Ms. Helen Burstyn: My pleasure.

The Chair (Mr. John Fraser): You have time to make a brief opening statement. Any time that you do use will be taken from the government's time for questions. Questions will begin with the government.

Again, thank you very much for being here this morning. You may proceed.

Ms. Helen Burstyn: First, thank you for the opportunity to appear before the committee to discuss my interest in and qualifications for this appointment to the Waterfront Toronto board. I'll try to be brief, because I would like to allow as much time for questions as possible.

I'd like to highlight three areas of experience and expertise that I hope to bring to this position. The first is my 25-year history of public service, which began, actually, right here in this building when I worked for the

legislative research service for four years and as staff to the public accounts committee. So I know and appreciate the process that we're going through right now.

I later moved to what was then called the Ministry of Industry, Trade and Technology, first as a senior policy adviser, and then as the deputy secretary to the Premier's council. I then served as director of communications for the ministry and director of community economic development.

In addition to those positions, I also have some agency experience. I served for seven years as the chair of the Ontario Trillium Foundation; and then, after that, the co-chair and executive lead of the Partnership Project, which was an initiative to create a better relationship between the Ontario public service, or the government, and the not-for-profit and charitable sectors. From there, I established the first Office for Social Enterprise in Ontario and also in Canada, working with both not-for-profit and for-profit organizations that met social and community economic development needs. The point is, I have a very deep and thorough knowledge of how government works.

Serving in government in so many different capacities, and particularly during my time as the volunteer chair of Trillium, has been enormously rewarding. At Trillium, I often commented that the pay was lousy but the benefits were great. My Trillium experience probably explains why, in more recent years, I have gravitated from public service towards community service, and, in the last dozen or so years, I've served on a number of boards where effective governance and a high degree of community and stakeholder engagement were involved.

I'll give you some examples. I spent nine years as a trustee of the Centre for Addiction and Mental Health during the time when CAMH was going through a massive redesign, rebuilding and consolidation project of its Queen Street site. I was also a director of TEDCO, the Toronto Economic Development Corp., now Build Toronto, during the period when the first major commercial waterfront development, the Corus building, designed by Diamond Schmitt, was making its controversial debut. I have also served on the board of TIFF, the Toronto International Film Festival, for several years and I continue to serve there. I worked with the organization to realize a permanent home for the festival on King Street West, the TIFF Bell Lightbox, as everyone I hope now knows. I'm currently the chair of Evergreen, a national organization focused on urban and environmental issues, with more

than 6,000 community projects across Canada, but perhaps best known for the distinctive and award-winning Brick Works site in the heart of the Don Valley.

I serve on a number of other boards as well, but I highlight these because, in each case, there was a major redevelopment project under way where community engagement and support was as important to the success of these projects as the buildings themselves.

I've talked about my experience in public service and community service, and the final area I'd like to highlight is my commitment to city building. I believe that no agency or organization or level of government creates anything of consequence in this city or this country by working alone. For instance, Evergreen's campaign to revitalize our ravines and the lower Don, called "the Ribbon," is a cross-sectoral, cross-cultural undertaking that involves working with many partners, including Waterfront Toronto.

On the subject of city building, I'd like to quote my late husband, David Pecaut, from a well-known letter he wrote to the city of Toronto:

"The potential of Toronto lies not so much within its architectural or economic or social possibilities as in what it could represent to the world as a place where amazing things get done because this city is full of conveners, of civic entrepreneurs, of people who understand in their collective DNA how to bring all the parts of civil society around a table to solve problems, seize opportunities, and make great things happen....

"We should stop worrying about global rankings and focus on what will make us truly special—which is that we can be the best in the world at collective leadership."

Collective leadership, for me, leads to a sense of collective ownership, and I believe that's the key to making our waterfront as beautiful and walkable and livable and workable as the ones we admire in other cities—maybe more so.

I think I'll leave it at that and allow you the opportunity to ask me questions now. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Ms. Burstyn. Mr. Milczyn.

Mr. Peter Z. Milczyn: Thank you, Ms. Burstyn, for coming this morning and for putting your name forward. In your very long list of qualifications, I was wondering if you could spell out specifically what your involvement has been with Waterfront Toronto or with projects related to Waterfront Toronto's work.

Ms. Helen Burstyn: Well, I first became aware of Waterfront Toronto when I was on the board of TEDCO, because we had some very difficult dealings with Waterfront Toronto in those days. It was early days. It was the early 2000s and we were building the first building on the waterfront, and the design review panel of Waterfront Toronto objected to the design, basically. So we tried to accommodate with various changes to the building—more glass, more openness, less brick, a lot of things. But a lot of that was very fraught with challenges because I think much of it was a competitive process as opposed to a collaborative process.

Waterfront Toronto, then and now, struggles with having three levels of government represented on its board, and its governance—it has taken a while to find its way. Decisions are sometimes hard to come by and take a long time. Sometimes ownership is something that is difficult to establish and maintain. I think that Waterfront Toronto has matured a lot over the years, and I've noticed that particularly in recent dealings in my role at Evergreen. Also, I sit on the board of Luminato, the international arts festival, and we've taken over the Hearn generating station for this year's festival, the 10th-anniversary festival, so the paid programming will happen there. We have to work with Waterfront Toronto. We have to work with all sorts of players in the community to be able to make something like that happen and to make that a jumping-off point for further development that's of a more permanent nature in the port lands.

So mostly really good in recent years; originally, really hard and not so good.

Mr. Peter Z. Milczyn: The next big challenge for Waterfront Toronto will be the flood protection of the port lands and the lower Don. So what is your knowledge of that project, the scale of it and the importance of it?

Ms. Helen Burstyn: I'm not an expert in flood protection or really what's involved in creating the berms and the flood plains that would keep us from having the Brick Works regularly flooded every time there's a major rainfall.

This city is very interconnected in its physical and geographic spaces, so anything that happens on the waterfront, particularly managing the flooding, is something that is not solely a Waterfront Toronto responsibility but affects many others along the ravine—that work that is so extensive and is so integral to the physical geography of Toronto and, beyond Toronto, the GTA, and beyond that it goes up into the greenbelt. So getting the mouth of the Don right is not just a beautification project, although we want it to look good. It really is a protection of the lands and the space that people are and will be living on, where businesses will be setting up shop, and where we hope to attract tourism and other economic activity that is important to this city and beyond.

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On that, I always defer to experts. I don't claim to be an expert in urban planning or development, but I am able to read, appreciate and negotiate with people who have the expertise and the points of view that need to be considered. I also take into account the neighbourhoods. The people who live or work nearby are just as much affected by what is built and what is created that is perhaps more artistic or aesthetic. The impact on the surrounding area has to be considered. So those are things where I like to weigh in as well.

Mr. Peter Z. Milczyn: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Milczyn.

Now to Mr. Coe.

Mr. Lorne Coe: Thank you very much, Mr. Chair. Welcome, Ms. Burstyn. I appreciated your delegation.

The question I have is about budget. We've read recently that the Queen's Quay construction project was approximately 40% over budget. I'd like to hear how you, as a board member, would approach ensuring that taxpayers' dollars are responsibly spent.

Ms. Helen Burstyn: I also read of the overspending. I have not looked at the budget beyond what is available to the public. When I serve on any board, I try to be and often am attached to the finance and audit committee, not because I have a background in finance and audit—actually, I'm an English major by background—but because I always like to follow the money. It tells the story of how an organization or a business is managed. Especially when that management affects the public interest, it's very important that I understand exactly why that overspending has occurred.

So I don't have an answer because I don't know, beyond what I've read and what you've read. I think there may be lots of mitigating factors and explanations for that. I do believe that when a budget is set, everything should be done to stick within it. I also think it's very important, when there is overspending, to have received prior approval for that overspending. It doesn't just happen; it has to be anticipated to some extent, and it has to be agreed upon by a board of directors, because they're in the position to be able to stand behind that as much as the organization itself.

I do feel that Waterfront Toronto, despite whatever problems it has had over the years—and overspending actually hasn't been one of the biggest ones—is very well managed. For the most part, it doesn't overspend. There are no cases that I've ever read of where there have been expenses or other issues of mismanagement.

Mr. Lorne Coe: All right. Thank you for your answer.

In terms of management, my next question centres on accountability and transparency. There are recent reports that are a bit concerning in terms of proper procedure for in camera sessions and public disclosure at Waterfront Toronto. They focused on salary increases in particular. As a board member, how would you ensure that you and the board are being accountable and transparent to the public with respect to these types of meetings that did occur?

Ms. Helen Burstyn: To my knowledge, there was only this one in camera meeting where a salary decision was made respecting three of the senior executives at Waterfront Toronto. The ability to talk in camera is important to a board of directors because there may be issues of personnel and other issues that require discretion. I do think, though, that the obligation to report as fully as possible on the results of the discussion and as soon as possible about the results of the discussion, and to be able to justify the decisions that were made in camera, is really important. I'm not sure all the communication, in this case, might have met that test of accountability.

Mr. Lorne Coe: All right. Thank you for that answer. Thank you, Mr. Chair. Those are my questions.

The Chair (Mr. John Fraser): Questions, Mr. Bailey?

Mr. Robert Bailey: Do I have a couple of seconds?

The Chair (Mr. John Fraser): Yes, you've got about six minutes.

Mr. Robert Bailey: I'm reading some of the notes, Ms. Burstyn. Thank you for your presentation and for being here today. It says here that the corporation expects to run out of money next year. What immediate actions do you think—if you're successful and go on to be a board member—that the board could take? What do you think is fair to ask of the taxpayers to continue funding? Do you have any idea where you'd like to see that go?

Ms. Helen Burstyn: I do. I think that it's important for the corporation to seek—and it has been successful in seeking—private funding to augment whatever asks it has of the three levels of the government to which it will be going.

I think that Waterfront Toronto has spent—for the most part—wisely the \$20 million that it had as an investment from the three levels of government to begin with. It has recently received a very large private donation of \$25 million from Judy and Wil Matthews for Project: Under Gardiner.

I think, as a board member, that I would want to see—and I'm sure Waterfront Toronto would want to see—more matching dollars going into public projects. I don't think any level of government—even the combined governments involved here—can fund, indefinitely and solely, public projects any longer.

I think we're entering into a new phase—probably at an appropriate time—and I think we're starting to see the right kind of noises being made about seeking support from other areas besides government.

I think that the negotiations should have been under way. I don't know that they have been; I assume that they have been. You don't hit a deadline like 2016-17 and say, "Okay, what are we going to do now?" I hope that discussions are well under way with all parties.

Mr. Robert Bailey: Yes, I'm quite impressed when I read some of their goals and what they want to do. It sounds like an exciting project for the future.

Those are all my questions, Mr. Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey.

Mr. Gates, good morning.

Mr. Wayne Gates: Good morning. Thanks for coming.

I've got a few questions. In June 2015, the city of Toronto reported that spending on salaries at Waterfront Toronto had stayed roughly at the same level over the last three years, while project spending declined. More recently, the board was told that they had conducted their business improperly when they approved salary increases for three executives last month. Those increases were 8.6% to 11.6%, with the opportunity to earn a bonus of between 20% and 25%.

Do you see these issues as a problem? Do you have any idea on how to reverse this trend?

Ms. Helen Burstyn: I do see this issue. It's just one, to my knowledge. I do see that as a problem. I think that, especially, an experienced board like this one—I do know many of the members of the board and have a high regard for them. I think they have been on the board for long enough to realize that, in this case, even where there were explanations of there being no increases for five years, the proper way to conduct the business of the board is really important and should be known to all members of the board.

I think there was an error, perhaps. If I am appointed to this position, I would certainly want to ask questions about how that error occurred.

Mr. Wayne Gates: Yes, it's kind of interesting. Their justification for it was that they hadn't gotten an increase for a while. But their salaries are between \$232,000 and \$248,000. I'm sure that they could get by on that salary. I'm just guessing, but I think it's pretty fair compensation for the job they do.

One of the biggest issues that you'll be asked to consider as a board member is the fate of the Gardiner Expressway as it relates to the revitalization of the Don Lands. Of the three options currently being discussed—tear it down, modify it or keep it as it is—which would you prefer and why?

Ms. Helen Burstyn: I can't tell you that I have a preference at this point. I have looked at the three options. I'm not an urban planner or an expert. I know that there are a number of considerations that I would want to take into account—cost is one of them, of course.

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But I also think you have to look at what makes sense, not only for drivers, but for the development of those lands. If you take down a part of the Gardiner, what do you get in return, in terms of livability, more parkland or land to use for other purposes? What's the net benefit to drivers? Does it save five minutes or anything more than that? Does it deal with larger transportation issues? It's not just about that stretch.

I can't say how I would place my bets at this point. I know that the hybrid option is the one favoured by the city at this point, but I think that is subject to change too. I'm not sure there has actually been an overall compelling case presented for any one of those options, so I would want to go back and take a look at it again and maybe present the best case based on the best evidence.

Mr. Wayne Gates: During your presentation you said that you knew a lot of the board members whom you may or may not now be working with. Did you ever discuss this issue with them?

Ms. Helen Burstyn: I had a discussion with the chair, Mark Wilson. He's the former chair of Evergreen, and I know him from work we've done in common over the years. I asked whether there would be any benefit to my putting my name forward for an appointment, and he thought I could certainly do that, and that I would be able to fill the role. It's not his decision to make, of course—we know that—but he certainly encouraged me to put my name forward.

Mr. Wayne Gates: Well, it's certainly always important to work with people you can work with. If you have a relationship, that's usually a good start.

Ms. Helen Burstyn: Let's put it this way: I never would have put my name forward for an appointment if I thought the chair of the board would not find me a helpful member of his board.

Mr. Wayne Gates: That makes sense.

As a board member with Waterfront Toronto, how will you work to ensure that everyone, regardless of income or ability, is able to access and enjoy the waterfront?

Ms. Helen Burstyn: I think that more public consultation would be helpful. Sometimes it's hard to figure out how things happen or how decisions are made. They are not made solely by a board or by an organization in consultation with its board; it's the community that matters. I think they need to be an equal partner in decisions affecting how they live and the character and livability of the surrounding neighbourhoods.

Really, the waterfront is a shared asset for all of us in this city and beyond. What I talked about with respect to collective leadership and convening—I think we could see more of that; we can see more community engagement when it comes to these big decisions about our waterfront.

Mr. Wayne Gates: Just a question: Do you have any concern about the number of high-rise condos that are going up, that at some point they may block the sun for the entire waterfront?

Ms. Helen Burstyn: I do. I have concern not just about the waterfront but about how many condos are going up in this city overall. I just wonder about the capacity of this city to have so many towers—yes, blocking the sun, but also changing the character of neighbourhoods.

Along the waterfront in particular, we had some mistakes in the long-ago past. Some big slab buildings were put up, not nicely designed, with no regard to the view of the waterfront, and they're still there. I would hope we could find a way of moving forward on development that is respectful of people who are at ground level, as well as people who live in tall towers.

Mr. Wayne Gates: One of the concerns I certainly have is that there's nothing worse than lying on a beach when there's no sun—just a thought.

Do you believe that the lack of rapid transit in the waterfront area has hurt its development?

Ms. Helen Burstyn: Not necessarily. Again, I would say that I haven't studied this enough to say with certainty, but I don't see that as the most critical issue. I think we need transit along the waterfront, but I don't think it has hampered its development so much.

I know that since trying to add more transit, we've created other problems in the meantime, just being able to get around down there. Whether you're a driver or a pedestrian, it's hard right now, but that's because things are being built and routes are being shifted. We have to face some temporary inconvenience, but I hope the ultimate goal is to make it as easy as possible to get from

one end of the waterfront to the other, whatever mode of transportation you choose, including your own two feet.

Mr. Wayne Gates: I know this question was touched on just a little bit by my colleagues to the right of me, but the board will be facing financial challenges in the near future. How do you expect to contribute to responding to these challenges? I know you touched on it a little bit more with the private, but—

Ms. Helen Burstyn: Yes, maybe I could just add to what I said. I work very comfortably with all three levels of government. I think that working with government, and working with stakeholders and communities, I would hope to encourage more private investment in the future. But I would also hope to make negotiations among the three levels of government for that shared responsibility and funding. I hope to be able to contribute in that way as well; make that less of a struggle. As I said, I really do hope that those negotiations and discussions are under way already, because we wouldn't want to start from a standing position at this point.

Mr. Wayne Gates: You just said that you worked with all three levels of government. Have you ever worked for a party?

Ms. Helen Burstyn: Yes, I have. Well, I've been a member of a party, and I did run for office.

Mr. Wayne Gates: I think everybody here has been. What party would that be?

Ms. Helen Burstyn: Liberal Party.

Mr. Wayne Gates: All right. But you've never worked for the Liberal Party or—

Ms. Helen Burstyn: I ran for the Liberal Party in 2011, unsuccessfully.

Mr. Wayne Gates: You ran?

Ms. Helen Burstyn: Yes.

Mr. Wayne Gates: I can relate to that. I ran seven times before I got elected, so don't give up.

Ms. Helen Burstyn: Okay.

The Chair (Mr. John Fraser): I knew that was coming.

Mr. Wayne Gates: Just putting it out there.

The Chair (Mr. John Fraser): I was just waiting for it.

Mr. Wayne Gates: Just trying to help, you know what I mean? That's the type of guy I am. Thanks very much.

Ms. Helen Burstyn: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Ms. Burstyn, thank you very much for appearing this morning. The time for the interview is now over. You may step down. We're going to consider the concurrence after you step down. You're welcome to stay.

Ms. Helen Burstyn: Thank you.

The Chair (Mr. John Fraser): Thanks very much.

We will now consider the concurrence for Helen Burstyn, nominated as member, Toronto Waterfront Revitalization Corp. Mr. Milczyn?

Mr. Peter Z. Milczyn: Thank you, Mr. Chair. Do we do remarks or—

The Chair (Mr. John Fraser): Just read it out.

Mr. Peter Z. Milczyn: Okay. I move concurrence in the intended appointment of Helen Burstyn, nominated as a member of the Toronto Waterfront Revitalization Corp.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried. Congratulations, Ms. Burstyn. Thank you very much.

That concludes our meeting.

The meeting adjourned at 0928.

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 1 March 2016

Mardi 1^{er} mars 2016*The committee met at 0901 in committee room 1.*

The Chair (Mr. John Fraser): Good morning, and welcome back to another Tuesday morning. We have one intended appointee today.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): First we have a subcommittee report. The first order of business is to consider the subcommittee report. Mr. Pettapiece?

Mr. Randy Pettapiece: I move the adoption of the subcommittee report on intended appointments dated Thursday, February 25, 2016.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Any discussion? All those in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MR. HUGH WILKINS

Review of intended appointment, selected by official opposition party: Hugh Wilkins, intended appointee as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Chair (Mr. John Fraser): As I said, we have one intended appointee today. We have Hugh Wilkins, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

Mr. Wilkins, can you please come forward and take a seat? Good morning.

Mr. Hugh Wilkins: Good morning.

The Chair (Mr. John Fraser): Thank you very much for being here this morning. You'll have time to make a brief opening statement. Any time that you use in your statement will be taken from the government's time for questions. You'll get questions from members of all three parties. The questioning will begin with the official opposition.

Again, welcome here this morning. You may begin.

Mr. Hugh Wilkins: Thank you very much and good morning. My name is Hugh Wilkins. I am an applicant for a position on the Ontario Municipal Board. Thank you again for having me here this morning and for the opportunity to appear before you.

I am presently a member of the Environmental Review Tribunal, which is a sister tribunal of the municipal board at the Environment and Land Tribunals Ontario cluster.

As a member of the ERT, I have had the opportunity to adjudicate over a variety of issues arising from appeals of environmental orders, approvals and permits.

As a member of the ERT, I have also served as a hearing officer with the Niagara Escarpment Hearing Office, hearing appeals of development proposals on the Niagara Escarpment, which generally include a mixture of environmental and planning law and policy issues.

My background is in law. I was called to the bar in 1998 and have had the benefit of practising in a variety of areas of the law.

After my call to the bar, I practised at a firm in downtown Toronto, focusing on civil litigation and administrative law, including planning law work on files before municipal councils and the municipal board on behalf of various types of stakeholders.

I then went to study in the United Kingdom and obtained a master of law degree at the London School of Economics. There, I worked first as an intern and then as a paid researcher for one of my professors at the Foundation for International Environmental Law and Development, or FIELD, in London. At FIELD, I was involved in various matters focusing on international law, including assisting in giving law and policy advice to the European Commission and to small island states.

Upon my return to Canada, I continued working for FIELD, and then as a consultant for the World Wide Fund for Nature international, or WWF, and the International Institute for Sustainable Development. I worked initially on international governance issues and later on wildlife trafficking issues for WWF, and I worked reporting on negotiations on international conferences for the International Institute for Sustainable Development.

After working several years in this area, I switched gears and refocused on domestic law and policy issues, working for about seven years at Sierra Legal Defence Fund, which was later renamed Ecojustice Canada, practising public interest environmental law. This work involved advocacy before various courts and tribunals, including involvement in cases before the municipal board.

I also have experience in teaching and in legal writing. While I was at WWF and Ecojustice, I edited for 10 years a legal journal named the Review of European Community and International Environmental Law, and also taught natural resources law for five years as an adjunct professor at Osgoode Hall Law School.

Also, prior to my appointment to the Environmental Review Tribunal, I taught a course on Canadian environmental policy at the York University faculty of environmental studies.

As a member of the ERT, I've gained experience and expertise as an adjudicator and was just recently reappointed for a second term, which is for three years.

Over the course of the past two years, I have participated in courses on adjudication and mediation put on by Osgoode Hall Law School and the Society of Ontario Adjudicators and Regulators. I also participated in a workshop held by the University of Windsor's faculty of law in the Stitt Feld Handy Group.

I believe in the need for accessible and fair proceedings, applying active adjudication and alternative dispute resolution tools whenever possible to ensure fair, efficient and effective decision-making.

I believe that I have experience, knowledge and training in the subject matter and legal issues dealt with by the municipal board. I have aptitude for impartial adjudication and an aptitude for applying alternative adjudicative practices and procedures.

I'm pleased to answer any questions that you have on my background and my experience. Thank you very much.

The Chair (Mr. John Fraser): Thank you very much, Mr. Wilkins.

Mr. Pettapiece?

Mr. Randy Pettapiece: Good morning, sir.

Mr. Hugh Wilkins: Good morning.

Mr. Randy Pettapiece: You certainly have an impressive resumé. I wonder, when you worked at Ecojustice Canada—you acted on cases before the OMB?

Mr. Hugh Wilkins: I did.

Mr. Randy Pettapiece: Can you please provide further detail on that work and how it may influence your role as an adjudicator on the OMB?

Mr. Hugh Wilkins: The work that I did at Ecojustice was public interest work, so we often represented grassroots groups. One of the cases that I had before the municipal board had to do with the regional official plan amendment in Peel for the urban expansion of Brampton, which we were able to work with a number of stakeholders and reach a settlement on.

I was also involved in work regarding water issues and development issues on the Oak Ridges moraine and was involved in a case that went to the Divisional Court. I didn't actually appear before the municipal board on that matter but was involved in those proceedings.

As a lawyer at Morris Rose Ledgett, when I first started off 20 years or so ago, I did a fair bit of administrative law work, and as I mentioned in my opening statement, I was involved in municipal law issues before both councils and the board as well.

Mr. Randy Pettapiece: Okay. Much of your work experience centres around environmental and natural resources law. The OMB deals with many land use planning cases. What I'm interested to know is, how do

you plan to balance your interest in the environment and municipal development?

Mr. Hugh Wilkins: Well, as adjudicator, each case has to be judged on its facts and the evidence presented to the tribunal member. Also, one must apply the relevant statutory provisions and policies. Each case is going to be specific to its situation.

With respect to my background in environmental law, I think that is applicable. As a hearing officer with the Niagara Escarpment Hearing Office, I've dealt with a number of cases which have a mixture of environmental and planning law issues. I've really enjoyed that work and found it very engaging. But I don't think my background in environmental law—I think it's an asset. It will add value to work on the municipal board. I don't think it is in any way a hindrance.

I think my background in legal writing and my experience as an adjudicator with the Environmental Review Tribunal are assets which would be adding value to work on the municipal board.

0910

Mr. Randy Pettapiece: I certainly agree that it would probably be an asset. It's just that it can be a really difficult balancing act between developers and environmentalists. Sometimes we do get involved—and for good reason—in disputes, if we can put it that way, with that type of thing.

Certainly, there have been calls to reform the OMB. I understand that government will be conducting a review of the board, although they haven't said when. What are your thoughts on the effectiveness of the OMB? Would you have any ideas on possible areas of improvement for the board?

Mr. Hugh Wilkins: Well, I certainly believe that there's a key role for an impartial tribunal in which people can come forward and have their issues and disputes with respect to planning law addressed. I think having an administrative body is more accessible and less formal than having a court deal with those types of issues. So I think it's important to have a municipal board that is accessible to the public and can provide fair and impartial decisions.

In terms of whether the scope of the board's jurisdiction should be changed, I think that's really an issue for the Legislature to determine. It's not something that a board member can, obviously, deal with at all.

Mr. Randy Pettapiece: Sir, I was a municipal councillor for a number of terms. There was a perception, certainly shared by the council I was with and different municipalities around the province, that developers have a much better chance at the OMB than others because of financial and legal resources. So there's a perception that the unelected OMB controls much of Ontario's development. How would you respond to that, and, as an adjudicator, what kind of regard will you have for municipal decisions?

Mr. Hugh Wilkins: I think there is a challenge in that some parties have more resources than others when they come before an administrative tribunal. There are ways to

try to ensure that all parties have an opportunity to have their day in court and are able to fully engage in the process. Through active adjudication, an adjudicator can make sure that the issues are focused and that everybody has the appropriate opportunities to make their case.

It's a difficult situation if there's not an opportunity for people to have the resources that they need to present a full case. Again, unfortunately, I think that's something that the Legislature would have to address, if they wanted to provide funding for participants in proceedings like this. As an adjudicator, I think we have a responsibility to ensure that everybody has the best opportunity possible to make their case, certainly.

Mr. Randy Pettapiece: And often it is a financial consideration, and they just say—you know, throw your hands up and just let it go.

I'm going to ask you this question here about conflicts of interest. Do you have any conflicts of interest either at the municipal or developer level? Have you provided legal advice to developers in the past?

Mr. Hugh Wilkins: I don't have any conflicts of interest. When I worked at Morris Rose Ledgett some 20 years ago, I did represent developers, but that was so long ago I couldn't even tell you the names of the people, so I don't see that as a real conflict. However, if ever a case arose where there was a possible perception of bias or of a conflict of interest, I would certainly make known that potential conflict to the parties and recuse myself, if necessary, from the proceedings.

Mr. Randy Pettapiece: Thank you, Chair.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Mr. Robert Bailey: I do have just one question, if I've got enough—

The Chair (Mr. John Fraser): Sure. Yes, you do.

Mr. Robert Bailey: Thank you for coming in, Mr. Wilkins. I don't think this has been asked. Just a short answer—I probably don't have a lot of time. Can you give us an idea of some of the challenges you think lay before the OMB, going forward, in the future?

Mr. Hugh Wilkins: The OMB as an institution or for an adjudicator at the—

Mr. Robert Bailey: Well, both: as an adjudicator, but more the institution itself, the OMB.

Mr. Hugh Wilkins: I think it's important that, as I said before, everybody has a fair opportunity to make their case. I think adjudicators must work hard to ensure that it's a fair and impartial process.

As to whether the public perception of the OMB can be changed, I think the best the adjudicators can do is just to do a good job and work hard to ensure that it's a fair process, and hopefully the board's reputation will be a good one based on that.

Mr. Robert Bailey: Okay. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Bailey. Mr. Gates, good morning.

Mr. Wayne Gates: Good morning. How are you?

Mr. Hugh Wilkins: I'm well, thank you.

Mr. Wayne Gates: Good. I'm going to start by just making a little bit of a statement. I was a city councillor as well. I enjoyed my time there, but one thing that was very, very frustrating is that as an elected council we would make a decision based on presentations and all that stuff and an unelected OMB would overturn it. I'll give you an example. There's a school in my riding where we said they couldn't put a service station right beside the school. They appealed to the OMB and the OMB said they could. Those are the types of decisions that are being made and, quite frankly, I believe that's why the OMB has so many problems.

I've got four questions. I'll read them off to you and you can hopefully give us a response.

Mr. Hugh Wilkins: Certainly.

Mr. Wayne Gates: As you're aware, no doubt, the OMB has often been accused of siding with developers in the face of local municipal opposition to development projects. In fact, in some cases the OMB has gone so far as to essentially rip up municipal planning documents created by duly elected members of local councils. Given this, do you believe the OMB should continue to operate in its current format or do you believe that changes are needed to better balance the system?

Mr. Hugh Wilkins: I don't think I can really comment on whether there should be a change in the scope of the board's jurisdiction. I certainly believe, as I said before, that it's important that adjudicators act in a fair and impartial manner and try to ensure that everybody has an ability to present their case before the board.

In terms of municipal decisions under the Planning Act, the board has to have regard for the decisions of the municipality and the materials that the municipality used in making its decision. Certainly, municipal decisions and the materials that those decisions are based on are things that are taken into consideration by the board, but the board can only work within the statutory mandate that it's given and the policies that are relevant to an issue before it. It's somewhat confined to what it can do.

Mr. Wayne Gates: Thank you. As a member of the OMB, how will you work to ensure that the voices of councils and, more importantly, the voices of the people they represent are not overshadowed by large, deep-pocketed corporations?

Mr. Hugh Wilkins: Again, I think it's important to make sure that each person has a fair opportunity to have their case heard. Through actively adjudicating and making sure that people have opportunities to speak, and that the issues are focused on the key aspects that need to be adjudicated, I believe that everybody can have a fair hearing.

Mr. Wayne Gates: It's an interesting comment, quite frankly. If you're telling me that a resident of Niagara Falls or any community in the province of Ontario can go up against lawyers and big money, I don't think you can say that you're always going to get a fair and balanced hearing. I guess I'll add to that: You have represented developers in the past, and I think it would be fair and reasonable to say that sometimes, because of dollars,

residents don't have the same resources as developers do in front of the OMB. When you present your case, I think a lawyer may be a little better than Wayne Gates, who's not a lawyer, presenting a case. To say that it's always going to be fair and balanced I think is a stretch.

Mr. Hugh Wilkins: And I do agree with you. Being a litigant is a very stressful, very difficult thing to do. There needs to be ways to ensure that people are able to come before tribunals like the OMB, to make sure they're accessible so that although it's going to be stressful and it's going to be difficult, it can be facilitated as best as possible.

Mr. Wayne Gates: I appreciate that, but I think you can appreciate where I'm going as a resident in a community.

When members of the public present to an OMB hearing, they are not protected—this was interesting to me when I read this—from legal action against them by the developers they are usually trying to stop. This has created a chill effect, leading people not to take cases to the OMB for fear of legal action.

Do you believe it is appropriate that individual members of the public do not have legal protection when presenting at an OMB hearing?

0920

Mr. Hugh Wilkins: I know that recently the Ontario government passed anti-SLAPP legislation. That's legislation against strategic lawsuits against public participation. What that legislation does is it aims to stop meritless lawsuits from being brought. In the past, in this jurisdiction and in others, defamation cases have been brought by people and have acted as a deterrent for people who wish to come forward and engage in public processes. There has been a chilling effect. I believe and I hope that this new legislation will have an impact on that and reduce that chilling effect.

Mr. Wayne Gates: When you say "people," who are you talking about?

Mr. Hugh Wilkins: It could be anybody. It could be a developer; it could be a public interest group. The legislation aims to ensure that there is a procedure for dealing with meritless claims and proceedings on an expedited basis.

Mr. Wayne Gates: More likely, though, would you say that in most cases, it would be more developers?

Mr. Hugh Wilkins: I can't say. I think you'd have to look at the facts as to who in the past has brought meritless claims. It's probably a mixture of both developers and others.

Mr. Wayne Gates: As a lawyer, have you ever done that?

Mr. Hugh Wilkins: Have I ever brought a defamation case?

Mr. Wayne Gates: Have you ever followed the OMB and said, "Okay, who's doing this?"

Mr. Hugh Wilkins: Sorry, have I ever brought a meritless claim? No, I've never brought a meritless claim.

Mr. Wayne Gates: Do you believe the city of Toronto should be subject to the OMB given that they have repeatedly asked to be removed from their jurisdiction?

Mr. Hugh Wilkins: I believe that's an issue that the Legislature would have to deal with. As an adjudicator, as I said before, I think we've got a responsibility to ensure that we provide impartial and fair proceedings. But in terms of the scope of the board's jurisdiction and whether certain municipalities would be exempt from proceedings before the board, that is something I believe the Legislature would have to deal with.

Mr. Wayne Gates: I'll add to that, and you can add to it if you like: When you see a city like Toronto—which is really the heart of Ontario—that wants out of the OMB, then that would say to me, or certainly send me a signal, that there must be some problems.

Mr. Hugh Wilkins: Having a tribunal or a board dealing with difficult issues is always going to make some people unhappy. As I said before, it's necessary to have an administrative tribunal which deals with those issues because it's less formal and less costly and more accessible than the courts. I think it's necessary to have such a body. As to whether the scope of its jurisdiction should be changed by the Legislature, that's something for the Legislature to address.

Mr. Wayne Gates: I appreciate that, but I think your response was a little surprising. You said "some people." We're talking about an entire city that's not happy with the process—elected reps.

What challenges do you see happening with the board?

Mr. Hugh Wilkins: Challenges for an adjudicator on the board?

Mr. Wayne Gates: Yes.

Mr. Hugh Wilkins: Cases can be long, difficult, complicated proceedings. At the Environmental Review Tribunal, I've been on cases which have been over 20 days of hearings. Particularly, joint board hearings, which are hearings comprised of both municipal board and Environmental Review Tribunal members, can last for months. A long, complicated hearing can be a very difficult thing for an adjudicator, but I think we have the resources at ELTO to deal with that sort of thing. It's a good challenge as well. Certainly, it's not easy work, but I think it can be rewarding.

Mr. Wayne Gates: It's maybe a little off the subject, but as an environmentalist, do you have a lot of concern, or any concern at all, with the amount of development that's going on our prime farmlands?

Mr. Hugh Wilkins: I don't really have an opinion on that, no.

Mr. Wayne Gates: Even as an environmentalist? That's surprising. Thank you.

The Chair (Mr. John Fraser): Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Mr. Wilkins, for being here today. It's a very impressive resumé. All I want to say is thank you for wanting to apply to this particular board. Certainly, your qualifications would more than meet the requirements of the board.

Again, thank you for being here and applying for that position.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi.

Thank you very much, Mr. Wilkins. The time for your interview has concluded and you may step down. We'll consider the concurrence right after you step down. You're welcome to stay. Again, I want to thank you very much for being here today and presenting to us.

Mr. Hugh Wilkins: Thank you.

The Chair (Mr. John Fraser): We will now consider the concurrence for Hugh Wilkins, nominated as member of the Ontario Municipal Board (Environment and Land Tribunals Ontario).

Mr. Rinaldi?

Mr. Lou Rinaldi: I move concurrence in the intended appointment of Hugh Wilkins, nominated as member of the Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Chair (Mr. John Fraser): Any discussion?

All those in favour? Opposed? Motion carried.

Congratulations, Mr. Wilkins. Thank you very much for being here, again.

We're adjourned.

The committee adjourned at 0926.

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Mardi 8 mars 2016

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 8 March 2016

Mardi 8 mars 2016

The committee met at 0901 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): Good morning. Welcome back to public appointments and government agencies. Again, it's Tuesday morning.

We have one intended appointment this morning, but before we begin our intended appointment review, the first order of business is to consider the subcommittee report. Mr. Rinaldi.

Mr. Lou Rinaldi: Sir.

The Chair (Mr. John Fraser): Sorry, no, it's not Mr. Rinaldi. Sorry, Mr. Pettapiece—my mistake.

Mr. Randy Pettapiece: I don't know how you can mistake the two of us.

The Chair (Mr. John Fraser): Well, he was holding a piece of paper and looking at it, so I immediately thought it was Mr. Rinaldi. He's at the end of the meeting.

Mr. Pettapiece.

Mr. Randy Pettapiece: Thank you, Chair. I move the adoption of the subcommittee report on intended appointments dated Thursday, March 3, 2016.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? Motion carried.

INTENDED APPOINTMENTS

MS. DEBORAH HASWELL

Review of intended appointment, selected by third party: Deborah Haswell, intended appointee as member, Council of the College of Naturopaths of Ontario.

The Chair (Mr. John Fraser): As I said, we have one intended appointee today. Our intended appointee is Deborah Haswell, nominated as member, Council of the College of Naturopaths of Ontario. Ms. Haswell, can you please come forward? Thank you very much for being here this morning.

Ms. Deborah Haswell: Thank you for having me here.

The Chair (Mr. John Fraser): You will have time to make a brief opening statement. Any time that you use for your statement will be taken away from the government's time for questions. The questioning will begin today with the third party. Again, thank you very much,

Ms. Haswell, for being here this morning. You may proceed.

Ms. Deborah Haswell: Thank you very much, Mr. Chair and members of the committee, for having me here to express my interest in serving. My opening statements are about three minutes long, so brief, and then we can get to your questions and so on.

Thank you for considering my interest in serving on the Council of the College of Naturopaths, representing the public interest. As you can see from my application and my CV, I have considerable experience in a broad range of governance and oversight models. As a business owner, I bring a strong work ethic that recognizes both the commitment required and the purpose of the role which I am hoping to undertake.

Over my 17 years in municipal politics, I was always committed to serving in the best interests of the public, to whom I was accountable. In my capacity as a director on the former Waste Diversion Ontario board of directors, I was appointed by my peers to represent the interests of municipalities. This work, of course, was often contentious, very complex and, at times, both frustrating and rewarding.

As a commissioner on the Niagara Escarpment Commission, representing the county of Grey, the files were often complex and the process very lengthy. It involved a very diverse group of representatives, not the least of which were the aggregate industry, environmental interests, the agricultural sector and First Nations communities—while always upholding the principles and framework of the Niagara Escarpment Plan.

In the fall of 2014, the municipal political landscape shifted and I found myself, for the first time in 17 years, no longer elected to serve. This brings me to today.

Early in 2015, I began to research opportunities on the Public Appointments Secretariat website and I submitted an application to serve. Today, I'm here to offer to the Council of the College of Naturopaths myself to serve. I bring an in-depth understanding of how government regulatory bodies work. I understand the time commitment required, and I can fulfill this. I bring a demonstrated capacity to understand and analyze volumes of data and participate in discussion, and finally, a demonstrated ability to make decisions that are informed, relevant and current, and in the best interests of the public and adhering to transparency at all times.

I have a keen interest to serve my fellow citizens, and I'm interested in and support the expansion of regulated health care options for Ontario residents.

I'm confident my participation on the council will help to ensure the ongoing transparency and accountability in this particular health care sector.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates?

Mr. Wayne Gates: Good morning, Deborah. How are you?

Ms. Deborah Haswell: I'm well, thanks. How are you, sir?

Mr. Wayne Gates: Good. Maybe you could elaborate on some of your elected appointments. You said that you served for 17 years. What were you elected to?

Ms. Deborah Haswell: Sure. I started as a city councillor in the city of Owen Sound. I was elected to serve as a municipal councillor at that time and spent a number of years on city council representing—we're elected at large in a community of that size. I moved on to be the deputy mayor of the community, and then, ultimately, I ran for mayor in 2010.

Mr. Wayne Gates: Just so you know, our Niagara IceDogs enjoy beating the Owen Sound Attack. I just thought I'd throw that out. I'm sure you're aware of that.

Ms. Deborah Haswell: Well, yes, and I have to say that next year could be very different.

Mr. Wayne Gates: Next year it could be; not this year, though.

Ms. Deborah Haswell: No.

Mr. Wayne Gates: Okay. I've got a few questions for you. According to the information you submitted to the PAS, you don't seem to have much experience in the field of naturopathic medicine. Given that, I'm interested to know what led you to seek this particular appointment.

Ms. Deborah Haswell: The opportunity to be part of an emerging regulatory board is something that's of interest to me. My daughter is a chiropractor, and having had some fairly close understanding of the regulatory framework in which chiropractors operate—this is a new and emerging health care sector. It's also important, I think, that any health care profession that's regulated has representation by the public and maintains transparency, as well as an opportunity to participate in the process.

Mr. Wayne Gates: Do you use, or have you ever used, any kind of medicine on a regular basis at all? Have you ever gone to a naturopath?

Ms. Deborah Haswell: I have to tell you that I'm fortunate to be in good health, and if there was a health concern that arose at any time, I would certainly not hesitate to seek the services of a naturopathic doctor. At this point in time, no, but as I said, I'm generally fairly healthy. I take vitamin C on a regular basis.

Mr. Wayne Gates: I don't know if that helps or not, but—

Ms. Deborah Haswell: Well, from what I read, it does.

Mr. Wayne Gates: I have no idea. I take lots of medicines; vitamin C is not one of them. Maybe I should.

Ms. Deborah Haswell: Maybe. I don't know.

Mr. Wayne Gates: You're healthy; I'm not. So it could help.

Ms. Deborah Haswell: It's an emerging profession, as a regulated health care option, and in terms of health care options for Ontarians, I believe it's very important that we have a choice.

Mr. Wayne Gates: And that it's regulated.

Ms. Deborah Haswell: Absolutely.

Mr. Wayne Gates: Many practitioners of naturopathic medicine will want to study or will have studied overseas rather than in Canada. As part of the regulating body for the profession, you will be required to help ensure that anyone educated overseas meets Canadian standards. How will you handle the balance between ensuring practitioners meet Canadian standards and also ensuring that they are able to conduct their practice in a manner that they have been trained to do?

Ms. Deborah Haswell: Certainly when the board or when the council is faced with that particular issue, there'll be an incredible amount of information provided on which we can base our decisions. Obviously, there are criteria under the Regulated Health Professions Act and related regulations and legislation that oversee the naturopathic profession in Ontario, and having a deeper understanding of that, those decisions would be made at that time. It's to ensure the integrity and the level of professionalism of the naturopathic profession in Ontario.

0910

Mr. Wayne Gates: I understand that, but it is fair to say that you have absolutely no experience in this field at all.

Ms. Deborah Haswell: That is fair to say.

Mr. Wayne Gates: Yes. My last question was an interesting one that I happened to find. A quick look at your social media shows that you're a very vocal supporter of the Liberals. As a public appointee to an arm's-length government agency, do you believe it is important for you to be non-partisan, and will your public communication change to reflect this?

Ms. Deborah Haswell: It's interesting—I'm curious to know which social media you were looking at, but I do believe it is important to be impartial and non-partisan.

I'm not a member of any particular political party. The last time I was a member of a political party, it was the federal Liberal Party, and it was when Jean Chrétien was Prime Minister, so that might date me a little bit. Certainly, that was the last time I was a member of any party.

As you can appreciate, after 17 years in municipal politics and working at a variety of provincial organizations as a municipal rep, I know quite a few people in this world and I know people from every party.

I do believe that transparency and openness are key to effective regulatory bodies. I appreciate that comment.

Mr. Wayne Gates: I was a city councillor myself, so I understand the importance of working of all political stripes.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you, Ms. Haswell, first of all for applying, and for being here today.

It's good to see, from your commitment to public life—the same as for most of us around this table—that you still have an opportunity to pursue helping communities at large. That's great.

I'm sure that you did some research on the college, and you know that there's a number of committees that the college has. If you were successful after today, do you have any particular committees that you might have an interest in, which you could help?

Ms. Deborah Haswell: It's interesting: When I was reading the background on the council and the mandate of the council, there was a list of statutory committees and a list of non-statutory committees. I haven't particularly focused on any one of those subcommittees. In fact, the council has only become a permanent council in January of this year, so they've only had one meeting, which I have read the minutes of.

At this point, if successful, I would wait until I met with them to see where I would best serve in that new framework. If I was to say a specific committee, the audit committee would be very interesting, and I think I could serve well there with my business background.

Again, I would be remiss if I didn't acknowledge the balance of the council and the expertise that is around the table. As a member of the public, I would defer to where I would best fit the organization.

Mr. Lou Rinaldi: Great. That's all I have.

The Chair (Mr. John Fraser): Madame Lalonde.

Mrs. Marie-France Lalonde: I'm just reminded of an important day today. On our behalf, I just wanted to wish you a happy International Women's Day.

Ms. Deborah Haswell: Thank you very much, and to you as well—to everyone.

The Chair (Mr. John Fraser): Thank you very much, Madame Lalonde.

Mr. Pettapiece.

Mr. Randy Pettapiece: I, too, was a councillor for a number of years in North Perth. I've been to your community on the odd golf excursion when OSUM was up there—

Ms. Deborah Haswell: Mr. Walker.

Mr. Randy Pettapiece: Bill Walker is a good friend of mine, and you certainly know him well.

I guess this question has been kind of asked by my friend Mr. Gates, but I want to know exactly what drew you to the College of Naturopaths. Was there a specific interest that drew you there?

Ms. Deborah Haswell: The fact that it's something that's new and emerging. When I was searching through the website—if you've ever spent any time on the Public Appointments Secretariat website, there's an incredible array of opportunities to serve, as a member of the public. So I was looking for not only new opportunities, but I also did apply for others I have had experience on. Having said that, the opportunity to serve on a new and emerging regulatory body in a new health care sector is what really drew me to it.

Mr. Randy Pettapiece: I see. I've had several meetings with naturopathic doctors in my riding in Perth—Wellington. They've raised a number of concerns, and I have a couple here that I'd like you to comment on.

Under the government's Naturopathy Act, Ontario is the most regulated jurisdiction for naturopathic medicine in Canada. They did not feel that the transition council took their concerns seriously or made the changes they requested before the ministry approved the regulations. The college was established under this act, so I wonder if you think those concerns would have any impact on your role as a member.

Ms. Deborah Haswell: Until we meet as a complete council, I would have to say that the role of the council is to regulate the naturopathic profession in Ontario. Having said that, the concerns of the profession are represented by eight naturopathic doctors on the council, and I would defer strongly to them to voice the concerns of the profession at that table.

Mr. Randy Pettapiece: Okay. They would also like their role expanded.

Ms. Deborah Haswell: I understand that, and I've read some broad articles—magazine articles and whatnot. Certainly, looking to other provinces, the variety of regulatory frameworks in other provinces is quite interesting. British Columbia has a much broader scope of practice for naturopathic doctors than Ontario currently does. Saskatchewan has an even more rigid or narrow scope of practice regulated for naturopathic doctors. So, as a new and emerging council, I think that that discussion and discussions like that will happen at that table.

Again, as a member of the public, I don't put myself forward, by any means, as an expert on naturopathic medicine. I put myself forward as someone who is interested in protecting the public interest, maintaining transparency in decision-making and understanding how that regulatory framework will affect health care choices for Ontarians.

Mr. Randy Pettapiece: So you must have read these things—you keep leading up to my next question all the time, so that's very good.

There are certain challenges that are going to face the college in the future.

Ms. Deborah Haswell: Absolutely.

Mr. Randy Pettapiece: Just as you've explained, we have differences, province to province. Do you see a reason? Do you have a theory as to why that is? Is it a matter of trust? Is it a matter of the medical profession not allowing this profession to expand? Do you have any opinions on that?

Ms. Deborah Haswell: You know, when it's a new and emerging profession, I would look back to the chiropractic profession. Over the last 75 years, the chiropractic profession has gone through a huge shift in public recognition, professional recognition and professional acceptance. I think that naturopathic medicine is probably at the point that chiropractic was 50 or 75 years ago. So I think it's just a cultural time in society's era. Most of us—I'm sure most of the people around this table have a little bit

of a smorgasbord of health care professionals who keep us all healthy and running and moving forward.

I think that it's new, so I don't think that it is a matter of my opinion. I think that being part of those discussions and moving forward to be accountable to Ontario citizens is the key to serving the council properly.

Mr. Randy Pettapiece: Thank you.

The Chair (Mr. John Fraser): Ms. Haswell, thank you very much for being here this morning.

This concludes the time for your interview. I want to thank you again very much for being here. We're going to consider the concurrences at the end of the meeting, and you're welcome to stay.

Ms. Deborah Haswell: Thank you very much.

The Chair (Mr. John Fraser): We will now consider the concurrence for Deborah Haswell, nominated as member of the College of Naturopaths of Ontario. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of Deborah Haswell, nominated as member, Council of the College of Naturopaths of Ontario.

The Chair (Mr. John Fraser): Any discussion? All those in favour? Opposed? The motion's carried.

Congratulations, Ms. Haswell. Thank you very much.

The meeting is adjourned.

The committee adjourned at 0921.

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Journal des débats (Hansard)

Mardi 5 avril 2016

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 5 April 2016

Mardi 5 avril 2016

The committee met at 0902 in committee room 1.

The Vice-Chair (Mrs. Cristina Martins): Good morning, everyone. I'm just calling the meeting of the committee to order here.

SUBCOMMITTEE REPORTS

The Vice-Chair (Mrs. Cristina Martins): Before we begin our intended appointments review, our first order of business is to consider two subcommittee reports.

For the subcommittee report dated Thursday, March 17, 2016: Would someone please move adoption of the report? Mr. Pettapiece.

Mr. Randy Pettapiece: I move the adoption of the subcommittee report on intended appointments dated Thursday, March 17, 2016.

The Vice-Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

The second subcommittee report is dated Thursday, March 31, 2016. Would someone please move adoption of the report? Mr.—Mr. Gates, please.

Mr. Wayne Gates: You forgot my name that early? Wow.

I move the adoption of the subcommittee report on intended appointments dated Thursday, March 31, 2016. Thank you, Chair.

The Vice-Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MR. ROBERT WRIGHT

Review of intended appointment, selected by third party: Robert Wright, intended appointee as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Vice-Chair (Mrs. Cristina Martins): We will now move to the appointments review. We have one intended appointee today to hear from, and we will consider the concurrence following the interview. Our first intended appointee today is Robert Wright, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario). Mr. Wright, please come forward and take a seat at the table.

Mr. Robert Wright: Good morning. Here?

The Vice-Chair (Mrs. Cristina Martins): Yes, please. Welcome, and thank you very much for being

here. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions, and questioning will begin with the government once you've completed your statement. Thank you very much.

Mr. Robert Wright: Good morning. My name is Robert Wright. I'm applying for a part-time position with the Ontario Municipal Board as a member. I'm already a vice-chair with the Environmental Review Tribunal and with the Conservation Review Board, which are part of the ELTO cluster, the Environment and Land Tribunals Ontario cluster. Also in the cluster are the Assessment Review Board and the Board of Negotiation. I think it's the first cluster.

The reason I'm here is to contribute my knowledge and experience in the adjudicative work I've done with other tribunals to the Ontario Municipal Board. There has been a recent process of cross-appointments in order to add experience to all the boards from the other boards. I'm part of that process, and that's why I'm here.

First of all, just a little bit about what I do on those boards, and then I'll go backwards in time, I guess, to how I got there.

On the Environmental Review Tribunal, which is where I do most of my work, those hearings, as indicated, involve environmental matters, mostly review of appeals or dealing with appeals of the granting of licences. It could also deal with aggregate matters; it could deal with people complaining about properties that are polluting—they'd been given an order to comply and then they appealed that, so we do hearings.

The hearings can be quite complicated. They involve municipalities, individuals, government lawyers and lawyers for companies. As part of that process, we've also introduced mediation, which I think is, not only since I've been practising, something that has developed and been up and coming but is possibly the way forward to solve a lot of the issues with backlogs in work and to make decisions that people may not all be entirely happy with but are more happy than if a decision is made by a tribunal after a hearing. In any event, we deal with a variety of matters there. I must say that I really enjoyed doing that work and the people I worked with.

The Conservation Review Board deals with heritage matters. We don't have a large volume of cases that get to the Conservation Review Board, and sometimes those

matters get split off to the Ontario Municipal Board—if it's a demolition matter, for instance. There's a bit of an overlap there as well.

It's very, very interesting work because you get into the history of our community and you hear from communities on what's important to them to retain. I also personally enjoy it because it involves buildings and structures, which, when I have time, I do my own work on in my leisure time. For me, it's a combination of the historical, the law and the preservation of some of our heritage, so I find that work interesting as well.

How I came to the adjudicative world: I'm a lawyer, called at about 1980. I initially did commercial litigation for about 20 years. I then went and joined part-time an environmental non-profit organization called the Sierra Legal Defence Fund. I worked for them for about five years and was the head litigator in the Toronto district. It's a country-wide organization. It takes no government money. It attempts to deal with precedent-setting cases regarding the environment. I enjoyed that work very much and had the privilege of going to pretty much every court in Ontario and, on a couple of occasions, to the Supreme Court of Canada on behalf of interveners, and to other provinces. I went from there to the Environment Review Tribunal.

So I've worn a number of different hats. I've worked, as I said, at the commercial end in private practice for many years; I've also worked in the public interest; and, more recently, I've been doing adjudication. Hopefully, I can add all that to the position.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Wright. The questioning will now begin with the government side: Mr. Rinaldi.

0910

Mr. Lou Rinaldi: Thank you for being here, Mr. Wright. I just want to say thank you for broadening your horizons by your involvement with other functions. Looking over your resumé, which you talked about this morning, I think it's very well fitting for you to proceed. I really don't have a question. I think your resumé that we have and what you commented this morning highlights—so I just want to say thank you for doing even more, and it's very much appreciated.

Mr. Robert Wright: Thank you.

The Vice-Chair (Mrs. Cristina Martins): Any other questions? Ms. Vernile.

Ms. Daiene Vernile: The love-in continues. I've looked over your resumé and I want to add on the record that you are going to bring great value to this position with your background. So again, thank you for your public service.

Mr. Robert Wright: Thank you.

The Vice-Chair (Mrs. Cristina Martins): Further questions? Ms. Hoggarth.

Ms. Ann Hoggarth: Good morning. Thank you for your resumé and thank you for putting your name forward. I agree with the past two speakers.

I just want to ask one question. You're a very busy man already on other boards; you are confident that

you'll be able to put the time forward to do this job as well?

Mr. Robert Wright: I'm hoping that the position will involve dealing with matters that I think I can have value added to. For instance, Conservation Review Board matters also end up at the OMB, and on occasion some of the hearings require a person to adjudicate who has both OMB and Conservation Review Board qualifications. So I hope I can add there.

Also, a great many of the matters involved environmental issues. On the Environmental Review Tribunal I also sit on as a hearing officer for the Niagara Escarpment Commission, which, as you know, is also a special planning area. So I'm hoping that I would be utilized for those kinds of proceedings, and I think I can add to those.

It's a long way of coming around to your question. It is a part-time appointment, and I think that by doing the cross-appointments it's allowing flexibility for all the tribunals to get the work done and appoint the right people to deal with the matters before them. That's how I look at it.

Ms. Ann Hoggarth: Thank you very much.

The Vice-Chair (Mrs. Cristina Martins): Any further questions from the government side?

We now go to the official opposition. Just give me one second. Okay. Mr. Pettapiece.

Mr. Randy Pettapiece: Good morning, Mr. Wright. You certainly have an impressive resumé, I must say, and in-depth legal knowledge. I note that you worked at the Sierra Club Legal Defence Fund. Did you serve as counsel on cases before the OMB?

Mr. Robert Wright: Not with them, no, I did not. The reason is that, generally, it was court decisions that we looked at because they're precedent-setting on a larger, across-the-country scale. We operated both provincially but also with a mind to Canada-wide issues.

Mr. Randy Pettapiece: I see. Can you describe your understanding of the OMB and explain whether your past work relates to the work of an OMB member?

Mr. Robert Wright: First of all, because this a cross-appointment, what I was trying to indicate was that the work with the Environmental Review Tribunal and the Conservation Review Board does already cross over with planning work with the OMB. For instance, I've sat on a joint board as an ERT member with two OMB members. That was related to a quarry matter.

On the Conservation Review Board, we're finding that there's a great overlap under the Ontario Heritage Act as to what the Conservation Review Board can do and what the Ontario Municipal Board can do. So there's already an overlap there in the work that I do. So being appointed would allow me to wear two hats, if you will, deal with those kinds of matters.

Also, as I indicated, the Niagara Escarpment work is planning-related. I will say that when I was doing commercial litigation, I did a lot of real estate litigation—not planning litigation, but I'm pretty familiar with issues regarding property rights, etc.

Mr. Randy Pettapiece: Yes. That leads me to my next question. Much of your work experience has centred

around environmental issues. The OMB deals with many land use planning issues or cases, so I'm interested to know how you plan to balance your interest in the environment with municipal development.

Mr. Robert Wright: That's part of the process. That's why you have the hearing: to balance those interests. You've heard many times, I'm sure, that decisions are made by the adjudicators based on the evidence before them and within the confines of the legislation they're dealing with. I always find that looking at the purpose of the statute and basing it on the evidence before you—and then, of course, you always get assisted by counsel making their submissions. That's what the balancing is. If you're dealing with unrepresented persons, there's sometimes a problem with that balancing. That's something we're always wrestling with, but we're conscious of it and try to deal with it as best we can.

Mr. Randy Pettapiece: I was a former municipal councillor before I came here. There is a perception that developers have a much better chance of success at the OMB because they have access to financial and legal resources. There's a common perception that the unelected OMB controls much of Ontario development. How do you respond to that, and, as an OMB adjudicator, what kind of regard will you have for municipal decisions?

Mr. Robert Wright: First of all, I think there's always a high regard for municipal decisions, but that's also not to say that, as you know, decisions will always accord with what the municipality wants or with what any party wants. It's a question of what comes before the tribunal and the adjudicator. As I'm not on the OMB yet, I'm at a bit of a disadvantage to come up with specifics. I do know—and in fact, I think it's quite well summarized in the briefing note that I was just looking at here, that I picked up this morning—that there is a review of the processes. A quick look at the bullet points there—I thought they hit a lot of the top ones that I would have suggested.

Earlier, I mentioned alternative dispute resolution. That's one possibility for involving parties at a stage where they may have more of a say in dealing with things than if they end up in a hearing and they have that issue with resources that you talked about. Another one is looking at how to provide resources so that it's equitable, not just for municipalities but also for individuals and community groups to have a fair shot before the board. I only speak to that from my knowledge, really, of my work on the tribunal and with the Conservation Review Board. I think there are steps under way that I can see that are being looked at, and I think they should be looked at.

Mr. Randy Pettapiece: I think you can see the frustration. I'm from a small community. A \$60,000 cost that has to go on taxes and be paid for is a 1% jump in what we need to charge our constituents for tax increases. That's why we were very shy, unless we thought we had a really good case. I suppose you should do that when you go to this type of thing anyway. It kept us away from

maybe doing some things that we wanted to do. Certainly, after we got done doing our official plans and all this type of thing, somebody would jump in and try to throw some of those decisions out that the council had made. So it's a scary thing, especially when you talk about the dollars that could be involved in fighting a case at the municipal board.

The next point that I'd like to ask you about is that municipalities across the province have recently been contacting the government and calling on them to limit the jurisdiction of the OMB and to uphold planning decisions of municipal councils unless they are contrary to legislation. What is your response to this campaign and how do you think this municipal sentiment could impact your role as an OMB member?

Mr. Robert Wright: I think that, as the municipalities have shown a concern, clearly it's a matter that should be dealt with. I refer back to the review that I understand is imminent. I would expect that not just the municipalities but you folks would have a big voice in what comes out of those hearings.

0920

More specifically regarding the municipalities, from what I've seen anyway, when they do appear they are well represented, as you said. They don't go into it lightly because of the potential cost. But they should continue to participate, and not only continue but maybe ramp it up, because I think they are listened to and they add a great value.

Going through the process and making sure the interests are brought forward and that any procedural matters that can assist with that process—because you look at the legislation but you also look at the internal procedure and how a hearing runs. The two things are important to a party putting their position forward. You have to look at both of those.

What I can say, on the other end, is that the people in this process of cross-appointing are going to change the complexion of the board. It doesn't mean there are better people. I can tell you that the people I do know who are on the board I have the highest regard for. They work hard, they think hard about what they do and they make very thoughtful decisions.

The advantage, moving forward, is with cross-appointments. You're going to find that you have people with broader backgrounds, potentially, to canvass the issues that you're concerned about.

The Vice-Chair (Mrs. Cristina Martins): Mr. Bailey?

Mr. Robert Bailey: No, I have nothing. I just want to thank Mr. Wright for being here today. I've enjoyed his presentation so far. Best of luck.

Mr. Robert Wright: Thank you.

The Vice-Chair (Mrs. Cristina Martins): We are now going to pass the questions to the official third party. Mr. Gates?

Mr. Wayne Gates: Mr. Wright, how are you this morning?

Mr. Robert Wright: Good—yourself, Mr. Gates?

Mr. Wayne Gates: My first question is relatively long. I'll read it out, not necessarily slowly. It is long, but there's a point to it.

In response to more than 40 municipal resolutions asking the OMB to uphold municipal planning decisions, the Minister of Municipal Affairs and Housing said, "I'd like to see more emphasis put on local planning because if we do that, to the extent that it's done properly, there's really no need for an OMB. But that responsibility falls squarely on the shoulders of municipalities across the province." He basically said that the only reason OMB appeal exists is because municipalities don't do their jobs.

A few years ago, the OMB reviewed the Duntroon quarry on the Niagara Escarpment, which was opposed by the Niagara Escarpment Commission. It was approved in spite of that opposition and in spite of the fact that the sole Environmental Review Tribunal member on that joint tribunal also disagreed and dissented. Knowing that the lone dissenter was you, I'd like to ask your opinion on the minister's remarks. Do you think the OMB appeal occurred because the municipalities and the Niagara Escarpment Commission didn't do their jobs?

Mr. Robert Wright: It is a long question.

Mr. Wayne Gates: It is long, but there's a point to it and I think it's important to get it out.

Mr. Robert Wright: The difficulty in answering your specific question—and I will get to it; I'd like, if I could, to set the scene a little bit—is that when you're dealing with the Niagara Escarpment plan you're dealing with a special situation that's somewhat different than most of—it's a hybrid, if you will. It's one that is largely with the Environmental Review Tribunal except for certain situations where there are joint boards.

That particular decision was from a joint board. I was the lone member of the Environmental Review Tribunal on that joint board. My dissenting opinion was on the extent of the expansion of the quarry over certain areas that I felt were environmentally sensitive. That's all on the public record and in the decision; I don't think there's any need to revisit all that.

But the point is—back to your question—do you need an Ontario Municipal Board if municipalities are doing their job correctly? I think my answer to that is, yes, you would still need that, because a lot of right-minded people disagree on where things should go. You very rarely have 100% accord on any matter. There should be an avenue for parties to take their dispute to what should be an impartial and fair process. There have been a lot of recent complaints, I think, about that process. I'm not getting into whether they have merit or they don't have merit. The fact that there are complaints means that people want a review of it, and I think that is, as I understand it, going to happen.

I don't think the answer to your question is that municipalities aren't doing their jobs is the reason one has the OMB. My experience is that most are doing their jobs, but even then, you have disagreements and I think you

need someone—whether it's the Ontario Municipal Board or some other format—to deal with those.

One thing I would emphasize again is that if that process can include more alternative dispute resolution, I think it's in everyone's interest and is a way of dealing with interests where you don't have to come up with a black and white answer for a decision which is the result of a hearing process.

Does that answer your question? It was a difficult question.

Mr. Wayne Gates: It's probably difficult to answer in 10 minutes, so obviously you need to get all the facts. I want to be clear that I certainly don't feel that municipalities are not doing their jobs. I certainly don't feel, as a former city councillor, that the council that I had the privilege and the honour to sit on doesn't do its job. Obviously, I think the comment certainly wasn't fair without elaborating on it. That's not you; that was the minister.

When a municipality has spent time and resources updating their official plan and zoning bylaws, when they hire professional planners to give advice, when they have consulted with the public to balance competing interests and when they have done everything that the province has asked to conform with policy and statute, do you think it is appropriate for the OMB to set their work aside and make up new planning policies?

Mr. Robert Wright: I guess the first response—there's an assumption there that that's what the OMB is doing. I can't comment on that assumption as I'm not a member of the OMB at the moment. That assumption may be wrong or it may be right.

If that assumption is right, then clearly that's not something that should be happening. But I think if you look closely at those situations, you're going to find that someone—you didn't give me a specific one—made a decision based on, as I said earlier, the legislation and the evidence before them. The process of review may want to look at that if people aren't happy with the outcomes out of it. I think there are a number of suggestions that I've seen already, as I said, in the briefing paper that are things that are going to be discussed to deal with those.

As far as the qualities of the personnel of the OMB to make decisions, I think there are good people there that I've seen and I think that it is a good starting point. You've got to also look at it from the other perspective, which is the tools you give them to work with.

Mr. Wayne Gates: I appreciate that, but I can tell you that the cost to municipalities and to the taxpayer is extremely large. Quite frankly—I've heard it a number of times and it was actually touched on by my Conservative colleagues—developers just say, "Hey, I don't really care what the council says. I'll go to the OMB and win."

It's a big issue. I'm going to give you an example because you said there wasn't one. In Niagara Falls, on Thorold Stone Road and Kalar, there's a school, St. Mike's school. They made a decision, a developer, to put a service station right beside the school on a busy corner.

The residents obviously had their meetings. They said, "No, we don't want that. We don't want our kids exposed

to it.” The council said no; the mayor said no. The developer took it to the OMB and the OMB said yes.

Those types of decisions I believe are what give the OMB the reputation it currently has with some people—I would think most people. I gave you a decision on that. To me, when you see that happening in community after community in the province of Ontario, we’ve got an issue.

The last question I’ll ask you is: The city of Toronto and Toronto politicians of all stripes have long advocated for the removal of OMB control over the city. Do you believe that Toronto should remain under the jurisdiction of the OMB, and are there reasons why or why not?

Mr. Robert Wright: I respectfully remind you that I’m here for an appointment as a part-time member. That’s really a matter for the Legislature.

I will say this, though: First of all, you have to look closely at what it is they’re going to replace—which decision-making aspects of it. Is it all of the jurisdiction of the OMB or is it some aspect of it? Does it make sense to take some things within the city of Toronto, but not all?

The second thing is the cost of duplicating a system. I have no idea what’s involved in that, but I imagine there’s substantial cost. Having said that, I see there are in the discussion paper some thoughts about what it is—

The Vice-Chair (Mrs. Cristina Martins): You have 20 seconds left, please.

Mr. Robert Wright: —what it is you would leave with the OMB. There may be fruit for discussion there to shift some of the work so that, in fact, the OMB has a workload in dealing with matters that are a little higher up the scale.

Mr. Wayne Gates: Just to finish up my last 10 seconds, I was told you’re a pretty good guy, so I asked you tough questions—

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Gates. That time has expired for the interview.

Mr. Wayne Gates: Okay. Thank you.

The Vice-Chair (Mrs. Cristina Martins): That concludes the time allocated for this interview. Thank you very much, and you may step down now.

Mr. Robert Wright: Thank you.

The Vice-Chair (Mrs. Cristina Martins): We will now consider the concurrence for Mr. Robert Wright, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario). Would someone please move the concurrence? Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move concurrence of the intended appointment of Robert Wright, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Vice-Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

Congratulations, Mr. Wright.

Mr. Wayne Gates: I have something on new business. Can I do that?

The Vice-Chair (Mrs. Cristina Martins): Yes, Mr. Gates.

Mr. Wayne Gates: In fairness to my colleagues, when they’re asking questions, I do not interfere, and I would appreciate it if the government, when I’m asking fair and balanced questions in my eyes, doesn’t make comments while I’m questioning anybody who comes here before us. I think it was unfair, uncalled for, and it shouldn’t happen in this chamber.

I appreciate that. Thank you.

The Vice-Chair (Mrs. Cristina Martins): Thank you, Mr. Gates.

If there’s no further discussion, the meeting is adjourned. Thank you very much.

The committee adjourned at 0934.

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 Mrs. Cristina Martins (Davenport L)
 Mr. Randy Pettapiece (Perth–Wellington PC)
Mr. Lou Rinaldi (Northumberland–Quinte West L)

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 Ms. Ann Hoggarth (Barrie L)
Ms. Daiene Vernile (Kitchener Centre / Kitchener-Centre L)

Clerk / Greffière

Ms. Sylwia Przewdziecki

Staff / Personnel

Ms. Heather Webb, research officer,
Research Services

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Première session, 41^e législature

Official Report of Debates (Hansard)

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Journal des débats (Hansard)

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Standing Committee on Government Agencies

Organization

Comité permanent des organismes gouvernementaux

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 12 April 2016

The committee met at 0908 in committee room 2.

ELECTION OF CHAIR

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Good morning, honourable members. It is my
duty to call upon you to elect a Chair. Are there any
nominations? Madame Lalonde.

Mrs. Marie-France Lalonde: Yes, I would like to
nominate MPP Cristina Martins.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Are there any further nominations? There being
no further nominations, I declare the nominations closed
and Mrs. Martins elected Chair of the committee.

Congratulations to Mrs. Martins. This is an election in
absentia.

ELECTION OF VICE-CHAIR

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** We will now move on to the election of the
Vice-Chair.

It is now my duty to call upon you to elect a Vice-
Chair. Are there any nominations? Madame Lalonde.

Mrs. Marie-France Lalonde: I would like to
nominate MPP Daiene Vernile.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Ms. Vernile, do you accept the nomination?

Ms. Daiene Vernile: Yes, I do. Thank you.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Are there any further nominations? There being
none, I declare the nominations closed and Ms. Vernile
duly elected Vice-Chair of the committee.

With that, I would invite the Vice-Chair to come up to
the chair and continue with the meeting.

APPOINTMENT OF SUBCOMMITTEE

The Vice-Chair (Ms. Daiene Vernile): Good mor-
ning, committee members. We're now going to move
forward with the appointment of the subcommittee on
committee business. Do we have a motion?

Mr. Monte Kwinter: Yes.

The Vice-Chair (Ms. Daiene Vernile): Mr. Kwinter?

Mr. Monte Kwinter: Madam Vice-Chair, I move that
the following change be made to the membership of the
subcommittee on committee business: that Mr. Rinaldi be
replaced by MPP Qaadri.

The Vice-Chair (Ms. Daiene Vernile): Is there any
debate on this motion? Seeing as there is no debate, we

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shall vote. All those in favour? Against? Carried. Thank
you.

SUBCOMMITTEE REPORT

The Vice-Chair (Ms. Daiene Vernile): Our next
business is the adoption of the subcommittee report on
committee business dated Thursday, April 7, 2016.
Would someone please move adoption of the report?

Mr. Randy Pettapiece: I'd like to, if I could find it.
Oh, here it is.

The Vice-Chair (Ms. Daiene Vernile): It was prob-
ably lost in traffic.

Mr. Randy Pettapiece: I move the adoption of the
subcommittee report on intended appointments dated
Thursday, April 7, 2016.

The Vice-Chair (Ms. Daiene Vernile): Any discus-
sion on the motion? All those in favour? Opposed? The
motion is carried.

COMMITTEE BUSINESS

The Vice-Chair (Ms. Daiene Vernile): For our com-
mittee members, we are now going to look at the over-
view. I would like to hear comments on whether or not
you would wish to wait or to have this discussion now.
It's open for commentary.

Mrs. Marie-France Lalonde: Sorry, would you
repeat what you asked? I apologize, Madam Vice-Chair.

The Vice-Chair (Ms. Daiene Vernile): Would you
like to have a discussion now on the overview?

Mrs. Marie-France Lalonde: In view of the situation
of some of our members not being here and some others
having to leave, I would suggest that maybe we do it at
our next meeting.

The Vice-Chair (Ms. Daiene Vernile): Do we have
agreement on that? All those in favour? The motion is
passed.

Our Chair is now going to make a comment to our
committee. I'm sorry, our Clerk. I'm the Chair; no, I'm
the sub-Chair.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Vice-Chair.

The Vice-Chair (Ms. Daiene Vernile): Vice-Chair.
Go ahead, Clerk.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** I just wanted to mention to the members that the
committee did receive an intended appointments certifi-
cate. Usually, these are sent out on Fridays to the mem-

bers of the subcommittee. As we did not have a fully constituted subcommittee, that report will go out from my office today and, as per our usual process, we would hope to get your selections back by 5 p.m. on Thursday. I just wanted to get that on the record for everyone.

The Vice-Chair (Ms. Daiene Vernile): Any further discussion this morning? As there is none, this committee now stands adjourned.

Thank you very much.

The committee adjourned at 0914.

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 19 April 2016

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mardi 19 avril 2016

The committee met at 0903 in committee room 2.

The Chair (Mrs. Cristina Martins): Good morning, everyone. Welcome to government agencies this morning.

SUBCOMMITTEE REPORT

The Chair (Mrs. Cristina Martins): Our first order of business today is to consider a subcommittee report that is dated Thursday, April 14, 2016. Would someone please move the adoption of the report?

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, April 14, 2016.

The Chair (Mrs. Cristina Martins): Thank you, Mr. Gates.

Mr. Wayne Gates: You're welcome.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried. Thank you very much, Mr. Gates.

BRIEFING

The Chair (Mrs. Cristina Martins): Next, seeing that there are no intended appointments or appointees today, we are going to have a little bit of a review of government agencies and a briefing for all committee members. I'm going to pass it on, then, to the Clerk.

The Clerk of the Committee (Ms. Sylwia Przewdziecki): Good morning, members, and thank you, Chair. I've been asked, so I'm going to provide this little overview for the benefit of the significant number of new members who have joined the committee. We've had some changes in the chairship, the vice-chairship and the subcommittee membership, and this is a fairly technical committee.

All members should have received a resource binder that outlines what the committee is all about. If you don't have this document, let my office know, and we're happy to send you another one. I'll just pull out my own copy and show you what it looks like. It provides a lot of good information and a historical overview. It's the resource binder on the committee.

Our committee has a dual mandate. First, it has the authority to undertake the review of any agencies, boards or commissions—the ABCs—that the committee wishes to undertake. Second, it has the mandate to review intended appointments to those agencies, boards and commissions that are made by order in council.

I won't take very long, but I'll share my time with Heather Webb, who is the research officer supporting the committee. Heather participates in the meetings every week and prepares background materials for the committee, which you receive on a regular basis. She'll speak about her role and perhaps a little bit more specifically about the agency review aspect of the mandate.

I will focus on the appointments review process. I've handed out a little package for you. It's similar to the package I handed out at the beginning of the session, and it just contains an example of the documents that the committee deals with on a regular basis.

This committee deals with selections, and adopts subcommittee reports on a regular, almost weekly, basis, so I just wanted to explain how these come together.

You have before you a copy of standing order 108(f), which sets out the terms of reference for the committee. You will note that it provides us with a lengthy and detailed direction for the execution of our mandate.

I've also distributed a package containing a sample certificate and a subcommittee report from last session, as well as the attendant documents, so you can see what work is produced by the committee once it receives a certificate.

The certificate, signed by the Premier on behalf of the cabinet, is tabled to indicate any appointments made at a most recent cabinet meeting. Any reappointments, or appointments for a period of a year or less, do not appear on a certificate and are not reviewable by the committee. But the certificate is important, because it's the starting point for all the committee's work. In my example, I think it was the appointment of Mr. Vaccaro that we're tracing. You have a copy of the certificate as the cover page. It's signed by the Premier.

I'll just mention that I've also included the research document that was prepared by our research staff. It's quite a useful reference document because, inside, it lists all the agencies that are reviewable by the committee and to which appointments are reviewable by the committee.

Once a certificate is tabled with the Clerk of the House, I receive a copy and I forward it to the subcommittee members. Usually I receive the certificate on Friday, mid-afternoon, and right after I receive it, my office will send it to the subcommittee.

This is a committee where the subcommittee is very active and has an important role to play. As per the standing orders, the subcommittee members select from

the certificate any individuals they would like to call before the committee for a review of their intended appointment. There's no obligation to select anyone, and there's no minimum or maximum number of selections that can be made. The subcommittee makes its selections known to the full committee by way of a subcommittee report. The committee just adopted the most recent subcommittee report, and that was based on the decisions made by the subcommittee last week.

The standing orders state that the subcommittee shall meet of its own initiative to make the selections, and that upon receiving the report, the committee shall determine the date for the review of the selected individuals, as well as the time that will be allocated for each interview.

However, to streamline this process, the committee has established a practice. This practice was adopted in 1998 and has been adhered to by the committee in subsequent Parliaments, including the present one. Because it was found to be cumbersome to set up weekly subcommittee meetings and coordinate the schedules of subcommittee members for the purpose of selecting names, the practice developed was that subcommittee members receive the certificate by email—which is how I send it out—and are required to get back to the committee Clerk with their selections by 5 p.m. the following Thursday. So the subcommittee has just under a week to get their selections back to the Clerk.

For any who are visual learners, I did provide just a little sample calendar of how this timeline plays out. You can see that on a Friday, my office receives the certificate and sends it to the subcommittee. The following Thursday, I receive your selections. The next day, also a Friday, I distribute the subcommittee report to the full committee, and then I also prepare letters to the Public Appointments Secretariat, as well as the ministries, to notify them as to who has or has not been selected.

0910

The appointments of individuals who have not been selected will proceed without the committee stage. My office will contact those who have been selected to schedule their appearance before the committee. Rather than having to determine in each instance how much time to allocate to the review of an intended appointment, the committee adopted the practice whereby each interview is scheduled for 30 minutes, and these 30 minutes are divided equally among the caucuses. So, each party has up to 10 minutes to ask questions in a single round. The intended appointee is offered the opportunity to make opening remarks. Any time they use for their remarks is subtracted from the government's time for asking questions.

The House has authorized this committee to meet on Tuesday mornings from 9 a.m. to 10:15 a.m., so we have a rigid one-hour-and-15-minute window for our meetings. This enables us to schedule two interviews per meeting and then leaves us with a few minutes left over for any other business, such as considering subcommittee reports.

I will add here that as per the standing orders, this committee may meet to consider intended appointments

when the House is in an extended adjournment such as a summer or a winter recess, up to three times per month, with the subcommittee choosing the meeting day or days. To meet for any other reason during the adjournment, such as an agency review, the committee would require permission from the House.

Once an intended appointment has been selected for review, we receive biographical background on the person from the Public Appointments Secretariat. In addition to this, the research officer prepares a background paper for the committee. That paper includes publicly available information on the candidate, as well as some information about the agency. The information officer identifies any issues around the agency and may provide sample questions or areas of inquiry that the committee may wish to pursue when interviewing the candidate.

Once I receive all of the documents, I will forward them to you, in most cases in the week prior to the committee meeting. We try to send them out on Thursday, the same day that you receive your notice and agenda. My office also sends out the background materials for the meeting. The emails in most cases come from Trish Sarnicki, who works in my office.

Only the intended appointee may be called as a witness. That is the person you will be interviewing. At the end of the interview, the committee will vote on whether or not it concurs in the appointment. The question is debatable and the Chair will ask for debate before putting the question on any concurrence.

The committee must table its report with the Clerk of the House on the same day it votes on concurrence and its report is deemed to be adopted by the House. If the House is in session, because we meet in the morning, it's the afternoon following the committee meeting in which the committee voted on an intended appointment. During the routine proceeding "reports by committees" is when the House receives the report.

In the case of this report, it's a Speaker's script, so the Speaker stands and says, "I beg to inform the House that I have received a report from the Standing Committee on Government Agencies," and that's the report that was created as a result of the vote that morning. I have a sample of the report the way it's delivered to the House in your package, if you'd like to see that. Once the committee tables its report, the government may proceed with the appointments of the individuals contained in the report.

There are certain deadlines that we have to pay attention to. In its oversight role, the committee is not in any way trying to hinder the appointments process. If no report has been made on the selected person within 30 days of their being selected, that person is deemed to have been concurred in. However, the committee can by unanimous consent extend this deadline. This is a fairly regular practice; the committee will be familiar with it. If we have a number of intended appointees who are waiting to be scheduled, the 30 days start ticking from the day that the certificate is received. So if it's not feasible for the committee to schedule all the outstanding intended appointees, by unanimous consent the com-

mittee may extend that deadline, and that has generally been the practice.

I'll hand these out. These help me keep track of the work that the committee has done, but I do have a chart that will just give you a sense of who has come before the committee since the start of the session. You will see that we are fairly caught up. There is one outstanding intended appointee whose name appears on the subcommittee report that you just adopted, and my office will try to schedule that appointment as soon as possible.

At this point, I'll turn it over to Heather.

Ms. Heather Webb: Good morning. My name is Heather Webb. As Sylwia mentioned, I'm the research officer who's assigned to this committee. Typically, you'll see me here on a weekly basis, although from time to time someone else from our office may be here. There will always be someone from legislative research here to assist the committee.

I'll just cover, very briefly, the three areas that legislative research may be able to assist the committee with. The first one that Sylwia mentioned is with respect to the intended appointments. Our office will prepare a very short background memo for you, typically three or four pages, when the committee considers an intended appointment. There is a sample one that we've prepared in the past in your package. What this does is summarize the mandate of the agency. It discusses, perhaps, the agency's finances and any other pressing issues that the agency may be dealing with. We'll also draft a few sample questions that the committee members may choose to ask the appointee during the interview.

If the committee decides to proceed with an agency review, our office will prepare a much more detailed and lengthy backgrounder, detailing the agencies that you'll be reviewing. Following any hearings that you may conduct with respect to the agencies, we'll prepare a summary report of that. We'll also help you prepare the draft report when the committee gets to the report-writing stage.

Finally, we're also available throughout the course of the committee meetings, regardless of the content, to assist the committee members with any research questions that may come up. So if there's anything in relation to your business that you would like researched, please feel free to ask us at any time, and we'll be happy to provide you with an answer.

Mr. Shafiq Qaadri: Just a question: For example, on the chart, when it says "selected by PC," that means "selected to be interviewed by PC," whereas, obviously, it's proposed by the government, I presume.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** It means it's a selection that was made by the PC Party for review by the committee. When my office sends the certificate to the subcommittee members, we make note of which party makes which selection, and that appears on the subcommittee report. Of course, everything on the certificate is a nomination made by the government, but for the committee, it just indicates who proposed that the person be reviewed by the committee.

Ms. Heather Webb: Subject to any questions, that's all I have.

The Chair (Mrs. Cristina Martins): Are there any questions? Mr. Bailey?

Mr. Robert Bailey: Thank you for the presentations by both of you.

Not that I'm looking to do that, but you mentioned that if the House wasn't sitting, we could meet to review appointments. Would we be restricted to the one hour and 15 minutes? Maybe if we had a number of appointments, we could sit and do those and get them out of the way so they wouldn't be waiting, say, in September when we come back. Is that a prerogative or—is that available?

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Yes, absolutely. That's exactly how the committee has used those days in the past. If you look at the chart, you'll notice there are some summer dates that are attached to a number of the appointees. During the summer, it's up to the subcommittee to determine the day or days on which the committee may meet.

Mr. Robert Bailey: But you'd meet for more than an hour, possibly, and get them done with, if they were ready.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Absolutely. The committee could meet for a whole day if it wished. It's not restricted by the 9 to 10:15 time frame.

Mr. Robert Bailey: It would be hard to get me back here in July—

Mr. Shafiq Qaadri: Where it says "Date appeared before committee: Withdrawn," it just means they've disappeared; they've not come back at all?

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** For some of these withdrawals, it was on the initiative of the nominee. At some point in the process, they've notified PAS that they are no longer interested in pursuing the position, in which case, the committee receives a memo from PAS. Where it says "Withdrawn by UC," in some cases, it would be the committee itself determining—

Mr. Shafiq Qaadri: "UC" means what?

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** Unanimous consent of the committee.

Mr. Shafiq Qaadri: Oh, I see.

**The Clerk of the Committee (Ms. Sylwia Przedz-
ziecki):** The committee has on a couple of occasions decided that it does not need to go ahead with a particular interview of a selection it had made. It simply indicates that it will no longer interview the person.

The Chair (Mrs. Cristina Martins): Are there any other questions or clarifications requested?

If there are any other questions that may come up as you read through and peruse through the package that has been prepared for us today, both the Clerk and the legislative researcher are available at any time to assist with any questions that you may have or any procedural clarifications that you may need.

Seeing that there are no further questions, this committee is adjourned.

The committee adjourned at 0921.

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Mardi 3 mai 2016

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 3 May 2016

Mardi 3 mai 2016

The committee met at 0900 in committee room 1.

SUBCOMMITTEE REPORTS

The Chair (Mrs. Cristina Martins): Good morning, everyone, and welcome to the Standing Committee on Government Agencies. Before we begin our intended appointments review today, our first order of business is to consider two subcommittee reports. The subcommittee report dated Thursday, April 21, 2016: Would someone please move adoption of the report? Mr. Pettapiece.

Mr. Randy Pettapiece: I move adoption of the subcommittee report on intended appointees dated Thursday, April 21, 2016.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

The second subcommittee report is dated Thursday, April 28, 2016. Would someone please move adoption of the report? Again, Mr. Pettapiece.

Mr. Randy Pettapiece: Chair, I move adoption of the subcommittee report on intended appointees dated Thursday, April 28, 2016.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MR. TONY VALERI

Review of intended appointment, selected by official opposition party: Tony Valeri, intended appointee as member, McMaster University board of governors.

The Chair (Mrs. Cristina Martins): We will now move to appointments review. We have two intended appointees to hear from today. We will consider the concurrences following the interviews.

Our first intended appointee today is Mr. Tony Valeri, nominated as member, McMaster University board of governors. Please come forward, Mr. Valeri, and take a seat at the table. Welcome, and thank you very much for being here today. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Welcome, Mr. Valeri.

Mr. Tony Valeri: Thank you very much, Madam Chair. I just have a couple of opening comments, perhaps to provide some context.

First of all, I'd just like to say that it's certainly an honour to be asked to come before the committee, and I appreciate that very much. I thank the committee members as well.

Madam Chair, I thought what I would do is just begin with a little bit about my background, a bit of short history concerning the employer that I'm with today to provide some context, and then finally what I think are some thoughts around the importance of post-secondary institutions.

A number of months ago, I was asked to consider coming on the board of governors for McMaster University. I consider that to be an honour and a privilege given that I am an alumni from McMaster University and it is an opportunity to give back, I think, to the community and to the university itself.

By way of background, I am presently vice-president of corporate affairs at ArcelorMittal Dofasco, the largest steel maker in Canada, producing about 4.5 million tonnes of steel, specifically for the automotive industry but also for construction and energy as well. I'm responsible for communications, corporate responsibility, trade policy and public policy generally. My work in that area stems from the 13 years that I spent in Ottawa as a public office-holder, as a member of Parliament and a minister in the government of Canada.

As far as why I would be interested in serving as a member of the board of governors with McMaster University, I think it's clear that universities' roles are evolving and have evolved, certainly in the province but also in the country. I've always looked at post-secondary institutions as an opportunity—you look at it through a lens of three partners, essentially: academia, government and industry. ArcelorMittal Dofasco has worked with McMaster University over a number of years. We actually support a number of research chairs at the university, and I have had a history of working with the university both at ArcelorMittal Dofasco and outside of ArcelorMittal Dofasco, in establishing partnerships and opportunity for collaboration, ultimately striving for the translation of the research knowledge that exists at universities into an opportunity to improve productivity and innovation at the level of industry, and also for opportunities of commercialization. For me to have an opportunity to sit on the university board of governors, as I said, would be an honour. Certainly I would be looking to pursue those types of opportunities with the university,

and also support the university in the production of highly qualified individuals, which in essence is what industry and our economy are looking for in order to remain competitive as a province and, ultimately, to remain competitive globally.

I'll close there, Madam Chair. Thank you very much.

The Chair (Mrs. Cristina Martins): Thank you, Mr. Valeri. The questioning will begin with the official opposition. Mr. Pettapiece.

Mr. Randy Pettapiece: You certainly have long-standing ties with McMaster. I wonder if you could give us some idea of what you hope to accomplish—a few things—if you were appointed to the board.

Mr. Tony Valeri: It's a governance board, so essentially the opportunity would be to support the university in good governance and to support the university based on whatever committee I might be assigned to. I'm not on it, so I'm not quite sure what those committees are at the moment.

But I think more generally it's to support the university in its continued efforts to collaborate with industry, and also in its outreach to community partners. McMaster University is very much focused on the collaboration and the interdisciplinary approach to not only research but to teaching, so I'm hoping that I could support the university in those endeavours going forward.

Mr. Randy Pettapiece: How do you see the university—maybe it has to change a little bit; I don't know—supporting the industry that you're involved with?

Mr. Tony Valeri: I'm sorry?

Mr. Randy Pettapiece: How do you see it supporting the industry that you are involved with more in the future than it maybe is now?

Mr. Tony Valeri: I think universities are very well positioned from a research perspective. McMaster University is ranked number one in research intensity and has always, for the longest time, had a relationship with ArcelorMittal Dofasco from a research perspective.

I think there's a very strong materials and engineering faculty at McMaster University, so not only would the relationship continue and be enhanced with ArcelorMittal Dofasco, but I would say that I would hope to encourage the university to continue to support the OEMs that the province is very focused on—automotive, to be specific, where there is a McMaster Automotive Resource Centre, MARC, which is a partnership between the university and the automotive OEMs, and others. Obviously it's very important to the steel industry, but also very important, I think, to the province as a whole.

Mr. Randy Pettapiece: I think you are aware that industry has left the province. Certainly in the car industry there are different things that have happened in the last few years. For whatever reasons, we've had a migration of industry out of the province. So I wonder, sir, what you see as some challenges facing provincial universities, and McMaster in particular, concerning this type of thing or others that you might have on your mind.

Mr. Tony Valeri: Just like any other university, I think the challenge of enrolment growth—I think the

university continues to try to position itself to be able to support growth in enrolment.

There is also, I think, the issue of ensuring research excellence, the ability to continue to attract the brightest minds, not only from Canada but also around the world. Being able to compete with research universities around the world and being able to access the funding from both the federal and provincial governments to support research endeavours is certainly going to remain a focus of the university, going forward.

0910

Mr. Randy Pettapiece: I understand that the university does quite a considerable amount of research, but do you see that pointing in a different direction in the future, the research end of it?

Mr. Tony Valeri: McMaster has really led the way in interdisciplinary research. McMaster's approach to not only teaching and knowledge transfer to students, but also to research, has always focused on bringing together various faculties to tackle a particular issue—where it might be a technical engineering issue, but the research that is being contemplated or completed may benefit, for instance, from the participation of individuals from the faculty of social science or some other faculty. So going forward, university research will become much more interdisciplinary.

As far as the area of research, I think that's consistently evolving. The issue of carbon and climate change is certainly becoming very much at the forefront of what universities are looking at. McMaster also has a very strong medical research capacity, and in that way, I would argue that the new innovations not only in medical devices, but also in procedure and discovery, are certainly an area that will continue to evolve at McMaster University.

Mr. Randy Pettapiece: How much time do I have, Chair?

The Chair (Mrs. Cristina Martins): You have four minutes.

Mr. Randy Pettapiece: Four minutes? Okay.

I was talking to one of my constituents the other day, and it's interesting that we have you here today because it kind of fits into this. They have two high school boys. One is in grade 9 and I think the other is in grade 11 or something like that. I said to them, "Have the boys any kind of a decision as to which direction they would like to go in?" Their mother said, "Well, in the time it takes them to get them to university, maybe 90% of those jobs won't exist anymore because of the changes going on."

This is where I was kind of going at: Things are changing at a more rapid pace job-wise for opportunities going forward. I think universities are trying to do a pretty good job at it, keeping ahead of this if they can and seeing where things are going to go. There's all this talk about cars that drive themselves or whatever else is going on.

I just wonder, sir, how one keeps ahead of that or how do you think you can keep ahead of that, or how the university can work towards these types of things.

Mr. Tony Valeri: The dialogue between industry and universities is critically important, not only on the research side but in the production of what I'll call highly qualified individuals, university graduates who are positioned to contribute to organizations—so I think identifying or ensuring that not only are we as universities looking to deliver the types of skills and qualities that organizations need today, but we are also forward-looking.

A lot of that knowledge comes from understanding the trends and understanding the kinds of investments or contemplated investments that industry is considering, and in what areas. What kinds of skills would organizations require in their people in order to achieve the goals and objectives of that organization?

There is also something unique about McMaster that I've always been very much a fan of. I don't know if this is 100% correct, but if it's not number one, I would say that it is in the top two or three, certainly in the province—I would say in the country—in collaboration with colleges. There is a very strong relationship between McMaster University and Mohawk College—the identification of B.Tech., which is the bachelor of technology, for instance, where an individual can enter their post-secondary career at the college level and actually proceed right through to a PhD at the university level seamlessly. I think what that does is it provides—

The Chair (Mrs. Cristina Martins): You've got one minute.

Mr. Tony Valeri: —it provides some applied skills and an experiential opportunity for students, along with the theoretical training that they would get at a higher-learning institution like a university.

Mr. Robert Bailey: Okay. I think we're out of time?

The Chair (Mrs. Cristina Martins): No, you still have about 40 seconds—50 seconds, Mr. Bailey.

Mr. Robert Bailey: Thank you, Chair. My notes here say that, at one time, you were associated with the DeGroote School of Business, but I didn't see it on your résumé. I didn't know whether that was wrong or—

Mr. Tony Valeri: My association with the DeGroote School of Business was as an executive in residence, where I was, again, volunteering and had the opportunity to interface with business students who were interested in the bridge between business and government. I had the opportunity to liaise with a number of students in the business school.

Mr. Robert Bailey: Okay. Thank you.

Mr. Tony Valeri: Thank you.

The Chair (Mrs. Cristina Martins): You have nine seconds. You're good?

Interjections.

The Chair (Mrs. Cristina Martins): Excellent. Thank you very much.

The questioning now proceeds to the third party. Mr. Gates.

Mr. Wayne Gates: Good morning, Tony. How are you?

Mr. Tony Valeri: Very good, thank you.

Mr. Wayne Gates: Good. As a former Liberal MP in Hamilton, it is pretty clear which party you hold ties to. In spite of these ties, are you prepared to serve, in your role on the board, in a non-partisan manner?

Mr. Tony Valeri: I have always prided myself as being non-partisan and very focused on public policy that actually moved the agenda forward. It's been a decade since I was involved in public office. I'm not actively involved in any partisan way. I'm driven by my position in the private sector, where I think I would receive a good reception, irrespective of which political party a public office holder might be associated with. I think that, over the years, I've certainly transcended that partisanship.

To speak directly to your question, it would be that, yes, my view of politics is not in any way related to my position today or, potentially, to my future role with the university.

Mr. Wayne Gates: I appreciate you expanding and not just saying "yes." I think that it's helpful.

At the end of the day, I noticed that you worked at Dofasco.

Mr. Tony Valeri: I work at Dofasco.

Mr. Wayne Gates: Yes. I'm actually out of the auto industry. I worked at General Motors and, unlike Dofasco, I actually worked with a union. I know that Dofasco is non-union.

But one thing that's interesting, and one of the reasons why I asked a question about you being an MP, is that you certainly understand trade policies. I'd like to hear your position on the trans-Pacific trade agreement that, in my humble opinion, may devastate the steel industry and the auto industry. That's not coming from me; that's coming from people who are involved with the industry. That's coming from people who are opposing the trade agreement. I think that it's important, although it doesn't really function on what you're going to do at Mac. But in a way, it does, and I'll follow on that after you answer the question.

Mr. Tony Valeri: I guess that my comment would be that Canada, as a country that is dependent on trade for its prosperity—in essence, the domestic economy is not of a size that Canada can merely produce and support its own domestic economy but needs to have access to markets around the world. I think my comment would be that a trade agenda, in my view, is important to be made up of trade agreements that governments might be pursuing or signing, but also a very robust and effective trade remedy.

We have been working with the federal government. The Canadian Steel Producers Association has been working very closely with the federal government on updating its trade remedy and its trade remedy modernization act. In fact, the elements of that regulatory change—and, potentially, legislative change—were found in the last federal budget.

I would argue that, while trade agreements are important to Canada and to the province of Ontario, trade agreements must be fair—not only free, but fair. The way that

we would look to ensure that trade agreements are fair is by having a very robust trade remedy modernization, where these anti-dumping, countervailing duties should be put on, in our case, unfairly traded steel dumped in Canada or Ontario. We need to see duties on those to ensure that we're able to compete and to sustain the employment of steelworkers, as a very significant contributor of steel to the automotive sector, in order to sustain those employment jobs in the automotive sector as well.

0920

Mr. Wayne Gates: I can tell you that I certainly agree that Canada is a trading nation, and we should be. Quite frankly, I think we have to be. But I certainly believe your comments about how trade should fair; it should be reciprocal. The whole idea of trade is that it benefits both countries. In my humble opinion, I don't think the Trans-Pacific trade agreement has enough safeguards for steel. It certainly doesn't have enough safeguards for auto or dairy. I agree with the fact that we have to trade, but I think we can do a better job than this particular agreement, certainly for the industry that has employed you for a long time.

But equally important, it's a major employer and a respected employer that has given back to the community for a number of years. We want to continue to make sure that the kids who do get a university degree will have that same opportunity to go to work at Dofasco or US Steel or General Motors or Ford or those types of places. I'm glad that you kind of agree with the same position I've been on for a long, long time as a leader in the auto sector.

I have a couple of other questions; I might not get to them. One thing that's been really interesting to me is that our young people go to university and a lot of times they're getting hired as interns. I'm wondering if Dofasco, when you were there, hired interns.

Mr. Tony Valeri: We actually have a very robust internship program. In fact, our interns are just starting their term. We provide eight-month internships for university graduates as part of their academic career, predominantly drawn from the engineering faculties but also drawn from professional faculties, in particular the faculty of business. Those would be the two areas.

We are very, very strong proponents of the experiential aspect of education. We find that experience serves two purposes. It provides the necessarily skill set for university students, but also, for us at ArcelorMittal Dofasco, it exposes to the next generation the opportunity in advanced manufacturing. We feel that advanced manufacturing is critical to the province but also to the country, and we're very dependent on people.

You may remember Dofasco's tagline or motto: "Our product is steel. Our strength is people." We continue to invest in our people with a lifelong training program. We do have an ArcelorMittal University located in Hamilton, which is the only university in North America for ArcelorMittal, the global organization.

So the answer to your question is that we support internship. We are proponents of internship and feel that

it's a two-way street: an opportunity for students, but also an opportunity for organizations to demonstrate what the future may hold in terms of a career path for a prospective university student.

Mr. Wayne Gates: I appreciate that. I'll just touch quickly on the advanced manufacturing part. It was during the crisis of 2008-09 when they talked about giving up on manufacturing. What a mistake that would have been, as we have moved into advanced manufacturing.

Just to follow up on the intern question, because it's an issue. I believe that companies like yours can play an incredible role in making sure our kids who go to university—my youngest daughter is at Brock right now—have that work experience. But I also think, equally important—I'd like to know your position on actually paying interns to do the work.

Mr. Tony Valeri: At ArcelorMittal Dofasco, we pay our interns very well. Our interns are coming in and are paid the same as employees for that period of time, in that particular classification. So depending on the job role, that job has a compensation attached to it, and that intern would also receive that remuneration for that period of time.

Mr. Wayne Gates: Well, I want to be clear: I believe that all interns should be paid. I think that—

The Chair (Mrs. Cristina Martins): You have one minute.

Mr. Wayne Gates: I appreciate that, yes. They have to pay for their schooling, and in a lot of cases, a lot of families can't. I think interns should all be paid, and I'm glad that the company that you're working for does that.

The last thing I'll touch on quickly in my last minute is: Colleges and universities are facing enormous pressure with enrolment, some of it because of cuts that are going to universities and colleges. In talking to the colleges—in my area I have Niagara College, which has a good relationship with Brock University as well. Going to get foreign students is one way that we're doing it; how can you see other ways that we can get higher enrolment from kids in our area, particularly in the Hamilton area that really is in a comeback? Quite frankly, Hamilton is doing quite well right now, I believe.

Mr. Tony Valeri: Sorry, I just want to make sure I understand the question. How do we increase enrolment?

Mr. Wayne Gates: Yes, how do you get more kids going to university in your community?

Mr. Tony Valeri: I think one of the key ways of getting higher enrolments at the university level is by reaching—

The Chair (Mrs. Cristina Martins): Thank you, Mr. Valeri. Time is up now for the third party. We're now going to move on to the government for questions. You have six minutes and 36 seconds. Ms. Vernile?

Ms. Daiene Vernile: Thank you, Chair. Mr. Valeri, thank you very much for appearing before this committee this morning and for standing for a position with the McMaster University board of governors.

In answer to Mr. Gates's question, "How do you get more kids to go to university?", you offer free tuition to low-income students. I think we've already done that.

I want to talk to you about the role of manufacturing at McMaster and the importance that manufacturing has in Hamilton. Mr. Pettapiece made a comment on the migration of manufacturing out of the province, but with the global recession in the last decade, we know that this occurred everywhere. I will tell you that in my community of Kitchener–Waterloo, we currently have 2,000 jobs in manufacturing and advanced manufacturing that are sitting empty, that local manufacturers are trying to fill, and they're having good success with this with job fairs. So, I know that we are on the rebound.

I want to ask you about the future of manufacturing and the role that McMaster is going to play in that.

Mr. Tony Valeri: Well I think the future of manufacturing is found in the use of new technology in industry. I think Industry 4.0, which is driven out of Germany—I think organizations like McMaster who just a week ago had invited a professor from Germany, very much involved in 4.0, who talked about the evolution of advanced manufacturing, the use of sensors, the use of big data and the use of new technology in improving productivity and improving, I think, the way we manufacture in Ontario and in Canada.

So I would say that I view the future of manufacturing as being bright. I think there continues to be a need for more investment in technology. There continues to be a need for partnership. I think, with governments—specifically from the perspective of multinationals who look to invest in jurisdictions that are competitive, that can provide the necessary skills and people and also the regulatory environment for them to be able to compete and export not only to serve a domestic market but also use the domestic market in a country like Canada or a province like Ontario as a platform for further export into NAFTA, in our case, as a steel company.

Ms. Daiene Vernile: You also commented on the collaboration between McMaster and Mohawk and seeing this kind of union elsewhere in the province between universities and colleges. I can tell you that, as the parliamentary assistant to research and innovation, I was recently at Mohawk as they were unveiling a 3D printer in the engineering area. Talk to us more about the importance of collaboration between universities and colleges and what that can bring to the job market.

Mr. Tony Valeri: Well, I think the collaboration between universities and colleges is key, as I said earlier. I think the applied knowledge is critically important to manufacturing. Not only do the highly qualified individuals that organizations are looking to attract have the theoretical background to perform their role, but they've also experienced as part of their learning. They've also had a hands-on experience.

0930

I think that colleges are very much focused on applied research and the experiential opportunity for students. This continuum of education, where a student can come

in at a college level and then proceed right through to a higher learning institution like a university and obtain a master's or a PhD in a seamless fashion, is critically important.

We recruit a large number of technologists and engineers. The bachelor of technology program, the B.Tech. program, which is a collaboration between McMaster and Mohawk, has been very good and very key in ensuring that they are able to produce those highly qualified individuals.

Ms. Daiene Vernile: The day that we were at Mohawk, COM DEV from Cambridge was there using the 3D printer. They didn't want to buy one themselves, so they were using the college unit. The people who were working on the 3D printer became interns for that company.

Tell us about the importance of industry coming in and utilizing universities and colleges and the talent that they have.

Mr. Tony Valeri: I think that the opportunity to use research facilities that reside inside of universities or colleges is absolutely key. Many manufacturers do not have a research infrastructure. ArcelorMittal has approximately 1,200 researchers globally. We maintain a research facility at ArcelorMittal Dofasco in Hamilton. That research facility is collaborating effectively with researchers at McMaster University: researchers in process automation and researchers in metallurgy and materials. There's also the Canmet lab in Hamilton, which is the national laboratory—

The Chair (Mrs. Cristina Martins): There's one minute.

Mr. Tony Valeri: —for materials. So I think, for the innovation of new materials with respect to the steel industry, that collaboration between industry, universities, national labs and colleges is absolutely critical to ensure that we can meet the demands of our automotive supply chain, for instance, and also the energy market when it returns.

Ms. Daiene Vernile: Yes, it's absolutely critical for industry to tell universities and colleges directly: "These are the kinds of graduates that we need with these skills."

Mr. Tony Valeri: I would agree wholeheartedly. That's where I think the dialogue between industry and universities and colleges is absolutely critical in ensuring that we have the supply of the highly qualified individuals to ensure that we can compete here in Canada and also, I would say, globally, as advanced manufacturers.

Ms. Daiene Vernile: Last question: Do you miss politics?

Mr. Tony Valeri: Public policy is always an area that I've been very interested in. This position, actually, affords me the opportunity to continue to work in that area of public policy.

The Chair (Mrs. Cristina Martins): Thank you, Mr. Valeri. Thank you, Ms. Vernile.

Ms. Daiene Vernile: Thank you so much.

The Chair (Mrs. Cristina Martins): This concludes the time allocated for this interview. Thank you very

much. You may step down and stay in the room when we consider the concurrences at the end.

Mr. Tony Valeri: Thank you, Madam Chair.

MS. AVIA EEK

Review of intended appointment, selected by the official opposition and the third party: Avia Eek, intended appointee as member, Lake Simcoe Coordinating Committee.

The Chair (Mrs. Cristina Martins): Our next intended appointee today is Avia Eek, nominated as member, Lake Simcoe Coordinating Committee. Please come forward, Ms. Eek. I hope I'm pronouncing that correctly.

Ms. Avia Eek: No one ever does, but that's fine. "Avia"; "Hey, you"—just don't call me too late for dinner.

The Chair (Mrs. Cristina Martins): Avia what, sorry?

Ms. Avia Eek: Avia Eek.

The Chair (Mrs. Cristina Martins): Eek; okay. Avia Eek, please come forward and take a seat at the table. Welcome. Thank you for being here. You may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Thank you, Ms. Eek.

Ms. Avia Eek: Thank you, Madam Chair and members of committee. I'm not going to take a little bit of time, because in order for you to understand exactly why I'm very excited about applying for this position with the Lake Simcoe Coordinating Committee, you need to have all of the information.

As you already know, my name is Avia Eek. I own and operate a farm in the Holland Marsh with my husband, William, who accompanied me today. He's a third-generation grower in the Holland Marsh. His great-uncle was one of the first settlers in the Holland Marsh, in 1934. So there's a bit of history there.

It wasn't until after Bill and I decided to start a family that I became more involved with our family operation, which resulted in my also becoming more vocal about agricultural issues, which culminated in my writing various letters to local newspapers to bring awareness to non-farming folks about the misinformation that abounds in agriculture. I'm not shy about providing factual information about the needs and oversights when it comes to agriculture.

Fast-forward to 2009, when I attended the annual general meeting of the Holland Marsh Growers' Association to find out what their meetings were all about. A director had stepped down, and there was a vacancy. The board had already decided on a replacement, but one of my farmer friends—I think he was being funny at the time, but whatever—decided to nominate me for the position. I allowed my name to stand, the election was held, and I became the only woman on the board of

directors for the Holland Marsh Growers' Association. I beat out the guy.

It was through this membership that I was encouraged to run for municipal election in 2010, which I won quite handily with two thirds of the vote, beating out the two-term incumbent. Following the 2010 election, I was appointed by York region to represent the portion of King township that is within the Lake Simcoe watershed on the Lake Simcoe Region Conservation Authority board of directors in 2011, and I am serving my second term on this board.

Around the same time, I was also asked by York region's planning department if I would consider being the alternate for the regional council member sitting on the Greater Toronto Area Agricultural Action Committee. I accepted. As the alternate, I had voting privileges in the absence of the regional member but was not able to run for the executive.

Our Holland Marsh member stepped down and asked if I would take that seat and give up being the alternate for the region, which I did, because that allowed me to run for chair. I lost that vote by one vote.

When that chair stepped down last year, I was approached to run again, which I did, and I am now the chair of GTA AAC. I am proud to have had a hand in producing the food and farming action plan 2021, and I remain the alternate member for the York region council member on the Golden Horseshoe Food and Farming Alliance. GTA AAC covers York, Halton, Durham and Peel. We have members from the greenbelt and OMAFRA. It's the only organization that we're aware of in Ontario that brings urban folks, agriculture and Toronto food policy people together to resolve food and farming issues.

Since 2011, I've been the Holland Marsh representative on the York Region Agricultural Advisory Liaison Group, working with other advisory liaison groups in other municipalities within York region to advise York region about agricultural matters.

In 2011, the township of King embarked on a sustainability initiative with a view to creating an integrated community sustainability plan. I was involved in the working group representing the economic pillar, and our ICSP was approved in 2012. Every single report that comes before council currently must tie back to our ICSP, so it's not just sitting on a shelf collecting dust.

Late in 2013, a tourism task force was created with a variety of stakeholders from King township to create a tourism plan. I was the agricultural representative, and our plan was completed in the spring of 2014.

I had an incredible opportunity to be part of the CanAgPlus board of directors in 2014. That's the arm of CanadaGAP that implements the food safety program for Canadian fruits and vegetables at the national level. I rounded out our board of eight; I was one of four representatives from Ontario—of course, it was a national board, so it was eight of us from across Canada.

In 2014, I ran for my seat on municipal council and was able to hold it with 80.1% of the vote. I am currently

serving my second term on council, where my focus continues to be agriculture, economic development, and the health and preservation of Lake Simcoe. I'm really proud of this little thing too, because I'm the only woman ever to be elected in ward 6. The farmers have to like you.

I have spent my entire life in the Lake Simcoe watershed and I have a special attachment to it. I grew up in Keswick, right around the Cook's Bay area of Lake Simcoe.

In early 2015 I became the agricultural representative on the York Region Local Advisory Committee, helping to establish the electricity needs of York region for the next 20 years.

In 2012, I was approached by the organizers of Run or Walk for Southlake and was asked to be the King representative raising money for the needs of our hospital, Southlake Regional Health Centre. I accepted, and am still part of this incredible group of volunteers.

I am a member of the King Chamber of Commerce, Arts Society King, Ladies in Philanthropy for Southlake, the Holland Marsh Growers' Association and Equal Voice Toronto.

Last year, I was contacted by one of the producers on The Agenda with Steve Paikin, and was asked to come on the show and talk about the greenbelt from my perspective as a farmer. I agreed. If you want to watch it, you can go to YouTube and look up "Farming and the Greenbelt." I was actually interviewed by him, so it was very cool.

I am passionate about agriculture and our Lake Simcoe watershed, and as the local councillor I have a good understanding of land use policies. Actually, I've been really coming to enjoy them recently.

As a result of my involvement in all of the above committees, boards etc. and how they intersect, I possess what I feel is a unique skill set that can be utilized when resolving issues around implementation of the Lake Simcoe Protection Plan and potential threats, and that provides a level of continuous relationship-building with our agricultural community.

0940

That ends all my qualifications. If any members have any questions or comments, I'm here.

The Chair (Mrs. Cristina Martins): Thank you, Ms. Eek. The questioning is going to begin with the third party: Mr. Gates.

Mr. Wayne Gates: Good morning. How are you?

Ms. Avia Eek: I'm just tickety-boo.

Mr. Wayne Gates: I can see that. You're all excited to be here—

Ms. Avia Eek: Totally. Except for the fact that I had to come to the city, I'm good.

Mr. Wayne Gates: Yes, it's always an interesting drive in, for sure.

I've got a number of questions, but I'll start with this one here—I think it's important to establish.

Since 2014, you have, according to Elections Ontario records, contributed more than \$2,000 to the Liberal

Party of Ontario. As a member of a non-partisan, arm's-length agency of the provincial government, are you committed to ensuring that you maintain a non-partisan status in all actions, both on and off the committee?

Ms. Avia Eek: I am, because it's all about the health of Lake Simcoe, and that's not a partisan issue; that benefits everyone. It benefits all the municipalities that are around the lake. We have a 65,000-acre watershed. Any decisions that are made are to the benefit of economic development for those businesses within those communities and for the residents who are taking their drinking water from that lake. So, definitely, it is not a partisan issue.

Mr. Wayne Gates: What is your position on the appropriate balance between development and environmental protection in the Lake Simcoe region? And it's interesting, because—

Ms. Avia Eek: We don't have enough time to answer that question. It's not—

Mr. Wayne Gates: You can take as much time as you like because, I think—I sat on city council in Niagara, and it's a very big issue in Niagara, with what's going on where they're trying to move wetlands, and biodiversity. I think it's probably one of the most important issues facing the province of Ontario today. As we continue to get rid of our wetlands, continue to get rid of our farms—a country that can't feed itself is in trouble. We have to protect our wetlands as well. It's an issue that would come up all the time on council when I was there. I'm sure, with you being a two-term councillor—congratulations. It's fun; I enjoyed it. I think it's probably coming up quite regularly at your council as well.

Ms. Avia Eek: Being a board member with the LSRCA, as well, it comes up regularly, because people think that they can just go in and harvest the peat and sell it with no mind to the environment and to flood control, and the impact that they will have. You need to know, right off the bat, that I'm not pro-development. I know we have all these wonderful development plans and growth plans and things. I'm not always a fan of them because I'm from King township. Some 99% of our municipality is greenbelt; the other 75% is Oak Ridges moraine. Then, part of our watershed—well, our watershed; what am I saying, "part of it"?—is in the Lake Simcoe—we have to answer to or try to implement or follow the rules in the Lake Simcoe Protection Plan. So, when it comes to finding a balance, that's very tricky because there is not one blanket solution for any municipality. You have to look at each individual application that comes forward, and you have to tweak it to benefit those municipalities.

To me, it's very difficult, and it's not an easy answer. I'm a communicator; you might have figured that out, and I really believe that you have to be talking to the people that are going to be impacted by these decisions. You have to have stakeholders around the table that are going to be providing solutions, and then you find some common ground, because not everybody's going to agree with everything, and then you find ways to work it out.

Mr. Wayne Gates: Okay. That wasn't bad.

Ms. Avia Eek: Did that answer your question, sort of?

Mr. Wayne Gates: Well, I'm going to go back to it. As an owner and an operator of a farm in the Holland Marsh, I'm sure you are well aware of the potential harmful effects of agricultural runoff on the natural ecosystems. Given your experience, the large number of farms around Lake Simcoe and the importance of these farms to our economy, for sure, I'm interested to know how you will balance the potential competing interests of farming as an important economic activity with the need to protect our environment.

Ms. Avia Eek: I think we need to be looking at the building industry because while a lot of—we can even go to phosphorus, if you like. Several years ago, there were all kinds of comments and people were coming down on agriculture because of the phosphorus. Well, when it comes to the Holland Marsh, that 65,000-acre watershed drains into the Holland Marsh. So, when it leaves through the river and goes into Lake Simcoe, we're getting all the phosphorus from the water and sewage treatment plants; there's a certain percentage that comes from the air. You're getting a small amount from runoff from farms, but look at all the pavement that's there that's not porous. We need to start pushing our building industry to be using more LID—low-impact development—measures, which is something the conservation authority is pushing actively. They're working with the BILD industry, and that's what we're trying to do.

I am excited by the project the conservation authority has, because we're looking at trying to put some kind of facility at the exit of the river to remove some of that phosphorus before the water goes into Lake Simcoe. But only 2% to 3% is from the Holland Marsh. I couldn't tell you what the percentage is from what we call other high-land farms. But I think it's not just about agriculture; it's about everybody being responsible for what they are doing, and the development around us is contributing greatly to that.

Mr. Wayne Gates: I'll touch on that, because our conservation authority actually wants to move some of our wetlands to do development, and it's become a very big issue in Niagara. I had a meeting with my fellow NDP councillor from Welland on a Sunday afternoon at 4 o'clock. We've been involved for a while. You know, it's tough to get people out on a Sunday afternoon at 4 o'clock, and we had 300 people. Moving wetlands is a very big issue in Niagara, and I think they didn't do their research on this particular issue. Again, it was for development.

As a member of the Lake Simcoe Coordinating Committee, part of your work will ensure that the Minister of the Environment and Climate Change continues provincial investment to support the implementation of the Lake Simcoe Protection Plan. Do you believe that the ministry is currently providing enough funds for lake protection and restoration, and do you have any proposals for how to increase the funding available from the ministry?

Ms. Avia Eek: I haven't seen the numbers, so I don't know, and numbers and I aren't friends anyway. I would have to get back to you on that one, because I really don't know. I would be pushing, if we're not getting enough. Currently, I have been harassing the federal government, and some of my other colleagues on the conservation authority who are of a different stripe have been pushing things from their end as well. So we're all working together to push to get funds federally, and if we need them provincially, you're darned right I'm going to be pushing.

Mr. Wayne Gates: That's very good. I'll just finish by saying that I can see why the farmers elected you and why they like you. Thanks very much for your time. I appreciate it.

Ms. Avia Eek: Thank you.

The Chair (Mrs. Cristina Martins): We're now going to move to the government side. You have three minutes and 40 seconds, Ms. Vernile.

Ms. Daiene Vernile: I'll talk quickly. Thank you very much, Avia—did I pronounce it correctly?

Ms. Avia Eek: Yes, you did.

Ms. Daiene Vernile: —for making the drive down from Lake Simcoe and for appearing before this committee and, really, for standing for the Lake Simcoe Coordinating Committee. It is a very selfless thing you are doing and a great public service.

You mentioned that you have a special attachment to the Lake Simcoe area, and I will share with you that I do too. Growing up in north-end Toronto, on Sunday afternoons our family, which did not have a lot of money, would drive up to Sibbald Point Provincial Park and picnic in the park there. My favourite thing was to go into the St. George's churchyard and look for the marker where Stephen Leacock is buried. It's a wonderful part of Ontario, one of my favourite places in Ontario.

The questions I want to ask you are, first of all, what are the goals you are going to have when you sit on this board? Are you taking anything specifically with you to this board?

Ms. Avia Eek: As with all the boards I sit on as an agricultural representative, agriculture is not represented well. I'm sorry, guys and ladies, but it's not represented well in government. Unless it's specifically an agricultural committee, agriculture is not represented well.

I'm not really one to sit back and, "Yeah, that's fine. They're going to do what they want." I believe that we can change things through dialogue and through having conversations and collaboration. My goal would be to share what is realistic from an agricultural point of view. Even today there is a lot of—and I'm not even going to get into this topic; I'm not even going to say the word. There is a whole bunch of misinformation about how agriculture should be controlled and what will work. Well, if you're not a farmer and if you're not experiencing it, I'm sorry, with all due respect; you don't know.

My goal will be to be that agricultural voice.

Ms. Daiene Vernile: What are some of your biggest concerns right now when it comes to agriculture and farming in Ontario?

Ms. Avia Eek: Crop protection materials, because the various levels of government continue to make knee-jerk decisions based on the non-farming public and their interpretation of how farming should be happening, without really having the information. So one of the big issues I have is that we're not going to go back to the way farming was 50 years ago. People seem to be pushing us to get rid of this chemical and get rid of that chemical. They are crop protection materials. We need those to feed people. Our population is going to be exploding and we're going to be adding millions more.

0950

The Chair (Mrs. Cristina Martins): You have one minute.

Ms. Avia Eek: One minute? Okay.

We need those tools. That's one issue that I have, but I also believe that it has to be done responsibly, so the research has to be done. And when it comes to our Lake Simcoe, it's very science-based.

Ms. Daiene Vernile: Having your voice at the table will increase that representation, so we're very fortunate to have you. Thank you very much for coming today.

Ms. Avia Eek: Thank you for having me.

The Chair (Mrs. Cristina Martins): Thank you, Ms. Vernile. We're now going to go to the official opposition. Mr. Pettapiece.

Mr. Randy Pettapiece: Welcome. It's great to have you here.

I just moved off our farm about three years ago. I come from Perth county. We have some fruit and vegetable growers out there, but certainly not to the scope that you are involved with. What crops do you grow?

Ms. Avia Eek: Carrots and onions.

Mr. Randy Pettapiece: Carrots and onions?

Ms. Avia Eek: I've got my carrots on—and we grow potatoes for our local food bank in Bradford.

Mr. Randy Pettapiece: Okay. There were some decisions made over the last couple of years. One, which had a devastating effect on agriculture, was the cancellation of the Slots at Racetracks Program, on the racehorse business. It certainly affected my community because we had a lot of farmers selling straw and feed back to the racehorse business, and they lost that business. It was made, in my opinion, without any consultation with the industry or with people in rural Ontario.

I wonder—and I don't know this. I'm asking this because I really don't know the answer to this question—

Ms. Avia Eek: I may not know the answer, but carry on.

Mr. Randy Pettapiece: I'm not trying to set you up, but we had a decision made by the environment minister to limit the use of neonics on corn and soybeans. Do you use those products in your industry?

Ms. Avia Eek: Most agricultural people do. Yes; the short answer is yes. I was told that I shouldn't ramble. Yes, that's a harmful one. I made a comment about knee-jerk decisions; that was one of them, because people are not taking into consideration the fact that development is taking over natural foraging areas. You've got bee-

keepers who are not necessarily following best beekeeping practices: "Oh, let's blame things on neonics."

When crop protection materials are introduced by the PMRA, there's a label and there are directions on that label for how to use that product. When it's used properly—and it's an insecticide; of course it's going to kill stuff. My God, if you eat too much salt, it's probably going to harm you. It's in moderation.

I attended the Muck conference a couple of weeks ago, and we had a wonderful scientist from the University of Guelph. I loved the quote that she had: "The poison is in the dose." When it's applied properly, and if everybody's doing their part, that restriction does not need to be there. There were other ways that that could have been handled.

Mr. Randy Pettapiece: My earlier part of my life, I should tell you, was spent in Essex county, where we get peach orchards. Spraying peach trees was my brother's and my summer job. Back then, the restrictions or the cautionary practices were not in place as they are now. We did some things that some people may say have affected our brain a little bit.

Better protective materials—the things that you're wearing, and whatever else, when you're using chemicals—certainly have evolved to a rate of safety that I think is quite good, from wearing masks to protective rubber gloves and whatever else when you're dealing with these chemicals.

I do agree that we've had some issues with these knee-jerk decisions affecting rural Ontario, with people making those decisions not really understanding what's going on out there.

Ms. Avia Eek: Bingo.

Mr. Randy Pettapiece: You have touched on the appropriate balance between developments and environmental protection of the Lake Simcoe region. Is there anything else that you would like to add to what you've already said?

Ms. Avia Eek: No, because it's very complex. Like I said, it's a case-by-case issue. I don't believe that when it comes to wetlands being moved—leave them alone. If you want to engineer new ones, that's great, but you do not mess with a natural process and what's already there. It's already performing the function. It's there to perform and, in many cases, it's doing it properly. It's only when we start intervening that we start wrecking stuff.

Again, it's on a case-by-case basis, depending on where you are.

Mr. Randy Pettapiece: There's always room for improvement, no matter what committee you're on or what you're doing, whether you're farming or being a councillor.

Ms. Avia Eek: Yes, constantly moving forward.

Mr. Randy Pettapiece: I was on a municipal council for a couple of terms too.

Do you see any specific challenges that you want to address as a member of this committee?

Ms. Avia Eek: Oh. Any specific challenges? Well, again, because I will be replacing the agricultural mem-

ber, if I'm fortunate enough to be, I would say yes, there are definite agricultural—it's bringing an awareness to people, so they understand what you're doing, that you might have to change it this way, or, from the development community, this is what you have to do.

Again, it's going to go back to having conversations, seeing what's working and what isn't working, and finding workable solutions that are not going to be too onerous, that people just can't afford to do what has to be done to protect the environment. We only have one environment. When it's gone, it's gone. It's not coming back.

I think my goal would just be to be the voice of agriculture, and to make the best decisions I can.

I'm fortunate enough now, with the LSRCA—we have an incredible team, whether it's our CAO and the senior staff, right down to the people who are wading around in the swamps and doing the scientific biological stuff. We have a tremendous team.

I'm not a scientist—this brain is not wired for science; not even close—but I trust in their ability. That's why they're hired. I trust in them giving us the right information. Yes, it's important to ask questions and make sure you understand and make sure everybody's on the same page.

Mr. Randy Pettapiece: Have you ever met with anybody from the environment ministry?

Ms. Avia Eek: No, oddly enough.

Mr. Randy Pettapiece: No? Okay.

Ms. Avia Eek: That's why when the chair of the committee called me—she was our former CAO. When she contacted me, asking if I'd be interested in this position, I'm like, "Oh, my God, yes." Then I thought, "Wait a minute. I've never had anything to do with the ministry." In fact, sometimes, we clash, because of the agricultural component.

Mr. Randy Pettapiece: Yes. I had a conversation with a fellow who was speaking to people in the environment ministry. I'm not criticizing the people in the environment ministry, but some of the things that are going on in agriculture now would blow your mind. I'm talking about GPS mapping, planting your crops with GPS, robots milking cows and whatever else is going on—and nobody is aware of that. So I share with you maybe some frustration as to people making decisions, not knowing what is actually happening in the agriculture industry.

My son is involved with a lot of work with the GPS business. In fact, the biggest thing he does is spread manure, liquid manure, in Perth county. It's all GPS'd out, so he keeps away from streams and whatever else. He has to put reports in on all this stuff that goes on with it.

Ms. Avia Eek: Yes, very environmental.

Mr. Randy Pettapiece: His biggest problem with that is that it goes very slowly—you only travel about two or three miles an hour when you're doing this; it's staying awake in these big fields, because it takes a long time to get from one end to the other.

Ms. Avia Eek: That's right.

Mr. Randy Pettapiece: I think I share your frustration with what has happened in the past. I would certainly like to see those things changed.

Do you have a question?

The Chair (Mrs. Cristina Martins): Mr. Bailey.

Mr. Robert Bailey: Yes, I wanted to comment—it's more comments than anything—on your views on science over rumours or knee-jerk decisions. I like your views on the wetlands. I certainly support those.

I had one question. Being that you live on Lake Simcoe or in that watershed, do you have any issues with the black cormorants? You know, the birds—do you know what I mean?

Ms. Avia Eek: I know what you mean.

Mr. Robert Bailey: Any issues with them down there?

Ms. Avia Eek: No. I've heard there have been some, but I don't think they're in my neck of the woods, because Lake Simcoe is big. I'm down by the Cook's Bay area.

We have lots of blue herons and we have lots of muskrats—because our local trapper passed away several years ago, so now nobody is trapping the damned things.

Mr. Robert Bailey: I was doing some reading on them, and I understand that they deplete the blue heron population. They go in and they eat the eggs in the nests or something.

I'm doing some research on it. That's why I asked.

Ms. Avia Eek: That's always good.

Mr. Robert Bailey: That's all I have, Madam Chair.

The Chair (Mrs. Cristina Martins): Thank you very much. This concludes the time allocated for this interview. Thank you very much, Ms. Eek. You were very passionate in your deputation here this morning. You may step down while we consider the concurrences.

Ms. Avia Eek: Thank you very much, madam, and members of the committee.

The Chair (Mrs. Cristina Martins): We will now consider the concurrence for Mr. Tony Valeri, nominated as member, McMaster University board of governors. Would someone please move the concurrence? Mr. Qaadri.

Mr. Shafiq Qaadri: Thank you, Madam Chair. I move concurrence in the intended appointment of Tony Valeri, nominated as member, McMaster University board of governors.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried. Congratulations, Mr. Valeri.

We will now consider the concurrence for Ms. Avia Eek, nominated as member, Lake Simcoe Coordinating Committee. Would someone please move the concurrence? Mr. Qaadri.

Mr. Shafiq Qaadri: Thank you, Madam Chair. I move concurrence in the intended appointment of Avia Eek, nominated as member, Lake Simcoe Coordinating Committee.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried. Congratulations, Ms. Eek.

The Chair (Mrs. Cristina Martins): Seeing that there are no other concurrences to—oh, we have a question. Mr. Gates?

Mr. Wayne Gates: I think we should add “New business” to that because I think it is twice now that I’ve had to jump in after that vote.

The Chair (Mrs. Cristina Martins): Sorry about that.

Mr. Wayne Gates: No, I apologize. It’s probably—if we just add “New business,” then you could just do a quick look.

I’d like to get a list of all the boards that come before us and how many of those committees are actually full. I’ve gotten some complaints over the last few weeks that

some of our boards may have up to 10 members and some only have three or four. I’d like to get a list of all of them so that we can take a look at them and, who knows, maybe even bring some names forward or something to try to fill them up. Could I please get that—research, would you be able to do that for us? I’d appreciate it. Thank you very much.

The Chair (Mrs. Cristina Martins): Thank you. I’ll make sure that we have that for everyone in the committee.

Any further business? Seeing that there is no further business, the meeting is adjourned. Thank you.

The committee adjourned at 1003.

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STANDING COMMITTEE ON GOVERNMENT AGENCIES

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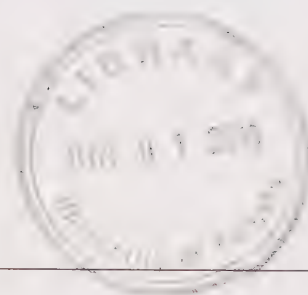
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Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 10 May 2016

Journal des débats (Hansard)

Mardi 10 mai 2016

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 10 May 2016

Mardi 10 mai 2016

The committee met at 0901 in committee room 2.

The Chair (Mrs. Cristina Martins): Good morning, everyone, and welcome. We will now move to the appointments review. We have two intended appointees this morning to hear from, and we will consider the concurrences following the interviews.

INTENDED APPOINTMENTS

MS. BRENDA LUCAS

Review of intended appointment, selected by official opposition party: Brenda Lucas, intended appointee as member, Ontario Clean Water Agency.

The Chair (Mrs. Cristina Martins): Our first intended appointee today is Ms. Brenda Lucas, nominated as member, Ontario Clean Water Agency.

Please come forward and take a seat at the table. Welcome. Thank you very much for being here. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Thank you.

Ms. Brenda Lucas: Great. Thank you, Madam Chair. Members of the committee, good morning. I appreciate the opportunity to discuss my candidacy for the board of the Ontario Clean Water Agency.

To briefly speak to my qualifications for this appointment: I've now worked in various aspects of water policy and management, including water technology development, for over 13 years. For nearly five years, I've been responsible for the management and leadership of the Southern Ontario Water Consortium, which was created to support the development and advancement of innovative technologies and services with Ontario companies and Ontario post-secondary institutions.

Prior to my current role, I was policy adviser to the Minister of the Environment for Ontario for just over three years. Before that, I worked with a private foundation to create a national funding program to support water policy projects and initiatives, largely by non-government organizations. So water protection and management have been the thread through most of my career.

I believe that as a board member, I can specifically contribute an understanding of relevant policy, and knowledge of emerging approaches and innovative technologies to help OCWA inform its municipal clients and work with them to appropriately and effectively partner

with companies to help advance and pilot new technologies. I can support OCWA's effective engagement with other organizations in the water sector.

I believe my experience will allow me to provide a relevant, broader perspective to support OCWA's core mandate of effectively managing water and waste water services in Ontario.

The Chair (Mrs. Cristina Martins): Thank you very much. We will now begin with the government. Yes, Ms. Vernile?

Ms. Daiene Vernile: Thank you very much for coming and speaking to our committee this morning. I think you're being a little modest about your skill set and your qualifications.

This is a very important board on which to be at this time, as the government is moving forward with a very ambitious plan for addressing the serious issue of climate change. Can you tell us more about your expertise, what you would bring to this board?

Ms. Brenda Lucas: Sure. Thank you. Again, I think it's sort of a broader context of how different organizations, municipalities and innovative technology companies, for example, are engaging on those solutions. I see OCWA as a really important asset for the province, and as a service provider that can not only provide those really important day-to-day services but help think about how we deliver those kinds of services in the context of climate change and in the context of the need for resilient municipalities, those kinds of longer-term sustainability perspectives.

I have, like I said, a fair amount of experience understanding that policy context and how organizations engage in it and what cities are trying to accomplish. Maybe more specifically, my relevant experience around bringing new, innovative approaches and technologies to commercialization, to readiness for municipalities, will also help OCWA with that particular and more recent part of their mandate about helping to develop and commercialize new, innovative approaches on behalf of their clients.

Ms. Daiene Vernile: Respectfully, I will say to you that my opposition colleagues may ask you about the fact that you have, in the past, contributed to the Liberal Party and that you have worked as a staffer. So I'm going to give you the opportunity now to speak to that and the objectivity that you will bring to this position.

Ms. Brenda Lucas: Sure. Thank you. I bring, I think, quite a lot of objectivity. As I said, that was an important

stage in my career, but my focus through that job and my other experience has been water management, and effective water management and improving policies on the ground.

But I will say that was an important role in my career, and it gave me, importantly, a perspective on the Ministry of the Environment, how the ministry functions in the various branches and the policy execution of the Ministry of the Environment.

Ms. Daiene Vernile: Thank you very much.

Ms. Brenda Lucas: Thank you.

The Chair (Mrs. Cristina Martins): Any other questions? Ms. Mangat.

Mrs. Amrit Mangat: Thank you, Brenda. Welcome to Queen's Park. As you spoke in your statement about the clean tech sector, can you shed some light about the clean tech sector and how we can tie water into that sector, and what role it can play when it comes to export?

Mr. Brenda Lucas: To export?

Mrs. Amrit Mangat: Export.

Ms. Brenda Lucas: Oh, interesting. I think the water sector in particular is a really important part of Ontario's overall clean tech capacity. We've got a really robust water sector in this province. We've got globally recognized large firms that have developed technologies that are now in place throughout the world. We've got smaller, emerging technology companies bringing new innovations to the market, and we've got a really robust academic sector. Where I work is in bringing those two things together so that we can actually support the development and adoption of new technologies.

Again, I think that's an important role for OCWA, because if you follow through the development and commercialization of technologies, at the end, you want to have implementation of those technologies, whether they're in Ontario municipalities or internationally. I think OCWA plays an important role in taking that next step, thinking about municipal needs on the ground and matching up innovations with solutions on the ground and helping municipalities think more broadly of that. I think the important step for Ontario is getting some of those solutions on the ground here so that they can be adopted internationally as well.

Mrs. Amrit Mangat: Thank you.

The Chair (Mrs. Cristina Martins): Any further questions? Okay. We will now turn the questions over to the official opposition. Mr. Pettapiece, please.

Mr. Randy Pettapiece: Good morning.

Ms. Brenda Lucas: Good morning.

Mr. Randy Pettapiece: Ms. Lucas, a memo was written to your former boss, John Wilkinson, who was then the Minister of the Environment. It was obtained by the Toronto Star and referenced in a Trillium Power Wind article. I'm wondering if you know anything about the leak of that document to the media.

Ms. Brenda Lucas: I'm not aware of what document you're talking about specifically, so no.

Mr. Randy Pettapiece: Okay, I'll help you with that. I'll read what it had in the Star: "The Star has obtained a

previously redacted confidential government memo to Wilkinson"—John Wilkinson—"from policy adviser Brenda Lucas that reveals why the province halted such energy projects."

I'm talking about the Trillium energy project that was slated for out in the Great Lakes.

Ms. Brenda Lucas: Okay.

Mr. Randy Pettapiece: It said, "It will be clear that we don't have adequate science to build a more specific offshore approvals process," says the Jan. 6, 2011, document that warns the government would face heat for 'moving forward without full science....'"

Do you remember that?

Ms. Brenda Lucas: I remember discussing the scientific basis for regulations for offshore.

Mr. Randy Pettapiece: Do you remember the—

Ms. Brenda Lucas: That specific memo?

Mr. Randy Pettapiece: Yes.

Ms. Brenda Lucas: I don't. I'm sorry.

Mr. Randy Pettapiece: So you didn't leak that to the press?

Ms. Brenda Lucas: No, I certainly did not.

Mr. Randy Pettapiece: Are you aware of any opposition to your recommendation that offshore wind would not proceed?

Ms. Brenda Lucas: That wasn't my recommendation. That was the minister's and the government's decision.

Mr. Randy Pettapiece: I'm sure he acted on your advice, though.

Ms. Brenda Lucas: I was a policy adviser who had some connection to the file at the time.

0910

Mr. Randy Pettapiece: Are you aware of any further discussions or emails after this date by anyone in the Premier's office or cabinet office?

Ms. Brenda Lucas: Any emails at all?

Mr. Randy Pettapiece: Yes. Any further discussions or emails?

Ms. Brenda Lucas: About that memo?

Mr. Randy Pettapiece: Yes.

Ms. Brenda Lucas: I'm sorry, I'm not quite understanding the line of questioning. Not specifically, no.

Mr. Randy Pettapiece: Are you aware of any policies on offshore wind brought forward by any senior members of those offices after your email was sent?

Ms. Brenda Lucas: Any policies on offshore wind?

Mr. Randy Pettapiece: Are you aware of any policies on offshore wind brought forward by any senior members of those offices after your email was sent?

Ms. Brenda Lucas: No, I'm not.

Mr. Randy Pettapiece: As a potential member of the Ontario Clean Water Agency, you may very well be asked about implications for projects that affect Ontario's water systems. It seems that you have already formed an opinion on offshore wind and the Great Lakes, however. What will you do when the offshore wind studies the government says it's completing come before your agency? Is there a conflict there?

Ms. Brenda Lucas: I don't see any conflict there. I'm not sure that offshore wind will have a direct relevance to OCWA's mandate.

Mr. Randy Pettapiece: Why is that?

Ms. Brenda Lucas: Because OCWA operates existing municipal systems.

Mr. Randy Pettapiece: Certainly it does, but we take water out of the Great Lakes, do we not, in municipalities?

Ms. Brenda Lucas: Yes, we do.

Mr. Randy Pettapiece: So that should have some effect on your position.

Ms. Brenda Lucas: I think OCWA, like the government, would want to be satisfied that any offshore wind policy or approach or project was done in a way that would protect our drinking water sources.

Mr. Randy Pettapiece: Okay. So you don't see there's any conflict that between what you're applying for and these offshore wind projects?

Ms. Brenda Lucas: No, absolutely not.

Mr. Randy Pettapiece: What I'm getting at is, it seems to be a coincidence that you're receiving a government appointment just mere weeks after a very helpful document for the government comes out with your name on it. Can you state to the committee that the two are not tied, unequivocally?

Ms. Brenda Lucas: The two are not tied. It has been five years since I left the minister's office.

Mr. Randy Pettapiece: Okay. I understand that, but just two weeks after this happens, all of a sudden you're here, so we want to make sure that these two are not tied together. That's why I'm asking the question.

The issue of wind farms has been very controversial throughout Ontario, mostly in rural Ontario, where countless numbers of communities don't want them, and yet the ministry keeps approving these wind farms. Then all of a sudden, we get a cancellation that happens out in the Great Lakes, when you were with the minister's office. I remember when that happened.

I come from rural Ontario. I remember that we had some hope that there was a way of stopping these things if we didn't want them—there are communities that do want wind turbines in the community, and that's fine—and then that didn't happen. So there's some suspicion—I'm sure you can understand that—with the way this was done.

Then when the Star comes out with this article with your name on it, you can understand why I'm asking these questions, I would think, and why there is the coincidence. We're asking questions as to whether this is coincidental, and what influence you may have on some of these projects.

There is quite a big lawsuit going on right now, or a proposed lawsuit on this right now. That's why I'm asking these questions.

You were an adviser to two ministers?

Ms. Brenda Lucas: I was.

Mr. Randy Pettapiece: That would be John Wilkinson and who else?

Ms. Brenda Lucas: Gerretsen, before John Wilkinson.

Mr. Randy Pettapiece: John Gerretsen?

Ms. Brenda Lucas: Yes.

Mr. Randy Pettapiece: Your experiences with these ministers—can you explain how this has helped you in your career?

Ms. Brenda Lucas: Like I said, the core thread and focus of my career has been water, and water management and water policy. I think the primary benefit of my time in those offices, because water policy—my primary file in that office—was really an understanding of the suite of legislation in Ontario that applies to water, and an understanding of how the ministry works and engages in implementation of that legislation, and the opportunity to be part of bringing forward new legislation, the Water Opportunities Act, that was related to, again, driving this sector and driving improved water management.

Mr. Randy Pettapiece: Okay. When these water-based turbines were first approved, you wrote a memo saying that, on scientific reasons, you didn't think that it should go through. Do you know why they approved this thing before they even looked at this evidence?

Ms. Brenda Lucas: I really can't speak to that.

Mr. Randy Pettapiece: You don't know?

Ms. Brenda Lucas: My job was not to make decisions about projects or provide—

Mr. Randy Pettapiece: But you were an adviser.

Ms. Brenda Lucas: I mean, my job was the liaison with the ministry whose job it was to provide scientific advice. The advice was from the ministry.

Mr. Randy Pettapiece: But can you tell us what scientific advice that was? Do you remember why?

Ms. Brenda Lucas: That's going back a long time. There were analyses. There were summaries of the scientific information that were provided to the minister. Decisions were made by government.

Mr. Randy Pettapiece: Since you were involved with it, you don't remember what the scientific basis was?

Ms. Brenda Lucas: Again, I remember some of the questions around the gaps in scientific knowledge. But I think that the government's decision about how to move forward with policies related to wind turbines were about much more than simply that scientific information and analysis.

Mr. Randy Pettapiece: But it says that it's clear that they don't have "adequate" scientific evidence "to build a more specific offshore approvals process," with your name on it.

Ms. Brenda Lucas: That's right.

The Chair (Mrs. Cristina Martins): There's one minute left.

Ms. Brenda Lucas: I was reflecting, again, the opinion of the ministry and the concerns of the ministry that wrote that there were gaps in terms of the scientific information and data that would normally go into the development of a regulation for new projects like that.

Mr. Randy Pettapiece: But you don't know what that is.

Ms. Brenda Lucas: What the concerns were based on?

Mr. Randy Pettapiece: Yes.

Ms. Brenda Lucas: Well, I think the primary one—I honestly don't remember exactly, but I know that there were considerations around how sounds travel over water. Some of the projects on water are different than on land, so I think that the ministry was raising questions about how much we know about the science and how water turbines would be different from land turbines.

Mr. Randy Pettapiece: And those are the only things that you can remember at the time? Sound travelling over water?

Ms. Brenda Lucas: Like I said, I wasn't the expert. I was reflecting the advice of the ministry.

Mr. Randy Pettapiece: It sounds like you were the expert by this document.

The Chair (Mrs. Cristina Martins): Thank you, Mr. Pettapiece.

We're now going to move on to the third party: Miss—

Miss Monique Taylor: Taylor.

The Chair (Mrs. Cristina Martins):—Taylor. Sorry about that. I was thinking Forster.

Miss Monique Taylor: Good morning, Brenda.

Ms. Brenda Lucas: Hi.

Miss Monique Taylor: Interesting line of questioning—not at all where I was going to go, but it seems that other members of the committee have enlightened us on several issues this morning, including fundraising and donations made to the Liberal Party. It seems like something that happens quite often around here.

Ms. Daiene Vernile: Transparency is a good thing.

Miss Monique Taylor: Transparency is definitely a good thing.

Whether it be appointments or whether it be money being doled out, it seems that there always seems to be a tie, lately, back to the Liberal government.

But that is not where I'm going to go with my questioning today because, regardless of whether I or the other members of this committee support your appointment or not, the government will make the decision of whether you receive the appointment. So I will focus on the job that you're going to be given and go in that direction.

Back in 2001, OCWA identified the water treatment plant at Constance Lake First Nation as high risk. Nearly 10 years later, in July 2010, that same treatment system failed, leading to an emergency declaration being called on the reserve.

Now nearly six years after the emergency was declared and more than 15 years after the treatment plant was identified as high risk, the people of the Constance Lake First Nation are still dealing with issues relating to their drinking water and still have not had their emergency declaration lifted.

As a member of the board of OCWA, what would you do to prevent tragedies like this, knowing that OCWA had this information for years? What changes would you

implement to ensure that no First Nation communities, regardless of how far they are from a city or town, are left waiting years for clean water?

Ms. Brenda Lucas: Thank you for the question. I am not familiar with the specifics of Constance Lake and—

Miss Monique Taylor: But it's the scenario, right?

Ms. Brenda Lucas: Yes. I guess what I would say to that is there is obviously recognition that provision of water and waste water services on First Nations is critically important.

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OCWA does not own the system. OCWA is a service provider and supports First Nations and other communities. I do think that as a credible service provider, OCWA has a role to play in sharing its knowledge based on the support that is provided to First Nations: First Nations operator support, and advice it can provide to First Nations in terms of managing its systems, both operations and investing and planning those systems.

I think OCWA has a lot of important expertise and knowledge to share with governments as they tackle those important questions.

Miss Monique Taylor: Right. It's shameful that we have people in northern Ontario living like they're in Third World countries. Would you not agree?

Ms. Brenda Lucas: I would suggest that it's important that everybody in Ontario and Canada have access to clean, safe drinking water.

Miss Monique Taylor: When OCWA was established, part of the act that facilitated its creation was that all activities of OCWA should be carried out in a manner that protects human health and the environment and encourages the conservation of water resources.

As a member of the board, with pretty extensive experience in the water industry, how would you balance the need to clean and dispose of waste water and stormwater with the mandate to protect the environment?

Ms. Brenda Lucas: I think those things go hand in hand, as opposed to needing balancing. I think the better we manage our water—and particularly waste water—systems, the better a position we are in to protect the environment as well.

Miss Monique Taylor: As someone who has spent the majority of your career working on water-related issues, both in the public and private sectors, do you have any suggestions for how to immediately improve the function of OCWA?

Ms. Brenda Lucas: I'm not going there with a particular immediate mandate. I look forward to understanding better the operational side of OCWA and some of the considerations that board members would make, and learning as I go.

Miss Monique Taylor: What about technologies or strategies that you would encounter as part of your work that would be beneficial for the operations of OCWA?

Ms. Brenda Lucas: In terms of water technologies, emerging approaches and technologies for water and waste water management, I do think that is where I can lend some specific support and expertise around helping

OCWA with its mandate of providing support to enabling the development and commercialization of those technologies, and working with its municipalities to find matches where there are potential solutions for a municipality need that could be served by an innovative technology—again, doing that in an appropriate way so that the needs of their client municipalities are put first. But there is also a conversation about how municipalities can be better clients and hosts of innovative technologies, whether it's piloting or implementation of proven technologies.

Miss Monique Taylor: How would you put the priorities and the needs of First Nations and northern communities first?

Ms. Brenda Lucas: In the context of technology development?

Miss Monique Taylor: Right. When it comes to their needs and—well, quite frankly, just their needs—and the struggles that they're facing, how would you put that first in consideration?

Ms. Brenda Lucas: I think innovative technologies can be an important part of that consideration. I don't think that's where the First Nations conversation starts, because a number of the solutions needed are more operational solutions—efficiency, training and those kinds of things. But certainly, where there are specific kinds of challenges with drinking water treatment or waste water treatment, some new approaches and technologies can be part of that solution.

Miss Monique Taylor: What would your priorities be in taking on this new position? Where is it that you would like to prioritize your time and your energy?

Ms. Brenda Lucas: Um—

Miss Monique Taylor: You must be going in there with some sight of what you're going to be doing. To you, what does that look like?

Ms. Brenda Lucas: Again, there are lots of technical experts within OCWA and on the OCWA board. I think for me, it's bringing that broader connection to organizations that are playing a role in bringing forward new solutions and helping OCWA connect with that in relevant ways, and understanding the broader context, and to really execute their role in being part of that active water cluster in Ontario and bringing Ontario solutions to the world.

Miss Monique Taylor: Thank you. I have no further questions.

The Chair (Mrs. Cristina Martins): Thank you very much, Miss Taylor.

You may step down. That concludes the time allocated for this interview. Thank you very much.

MS. ARPANA VORA

Review of intended appointment, selected by third party: Arpana Vora, intended appointee as member, Council of the College of Massage Therapists of Ontario.

The Chair (Mrs. Cristina Martins): Our next intended appointee today is Arpana Vora. Please come

forward and take a seat. Welcome, and thank you very much for being here.

You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you a question. Any time used for your statement will be deducted from the government's time for questions.

You may begin.

Ms. Arpana Vora: Good morning, Madam Chair and members of the committee. Thank you for having the time today for me to tell you why I think I will benefit the council of massage therapists of Ontario.

I don't have anything formally planned to say other than that I will give you a little, brief description of my experience. Actually, from my application to now, I have an update: I am currently president of the Jain Society of Toronto again. I was actually elected into that position two weeks ago, so I did not know that at the time. This is in addition to two terms that I also served as president, from 2010 to 2014.

The Jain Society of Toronto is a congregation of approximately 2,500 people. We are a faith-based organization, but we focus on cultural and social activity and the social development of our community. This includes seniors all the way to new immigrants, children and program development.

I'm also a director at India Rainbow Community Services of Peel. That is also undergoing a new identity in that it will not only be seen as something that serves Peel. The social services there also involve seniors, children and women who have been compromised in some way, and also English classes. I'm going into my second term for that position. I'm also the chair of seniors' development of housing and retirement solutions.

I'm often told that my strengths always lie with interpersonal relationships, mediation and practical solutions. I feel that in serving on this particular committee for the massage therapists of Ontario, I will bring a lot of experience in resolution, solving, mediation and understanding complex issues.

I understand that there's a lot of oversight in this particular industry. I'm looking forward to seeing how we can make something that is really well-managed. From my brief research on the website there, I was very impressed with their oversight. I'm looking forward to learning about that, actually developing more programs and possibly bringing the ability to report situations to light in a way that is compassionate and nurtures healing, but also nurtures preventative measures, for preventing abuse or, I'm going to say, to uphold the profession. From what I saw of the turnover numbers in the council, I was very impressed that their turnover is very low.

This is my first entry point into public service. I think I'll be very interested to learn more. I'm interested in being more of a student this time around than a leader, but I am a natural leader.

The Chair (Mrs. Cristina Martins): Thank you very much, Ms. Vora. We will now begin questioning with the official opposition. Mr. Bailey.

Mr. Robert Bailey: Thank you, Ms. Vora, for coming forward.

Just two or three questions: In your view, what are some of the main issues facing the profession of massage therapy?

Ms. Arpana Vora: That's a great question. I was actually giving some thought to that. When I look at the overall perspective of touch—public touch, private touch; I mean physical touch—I look at that as something that we're going to have to face publicly in the media and behind doors when we're dealing with private situations and stories of victims.

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I think we're facing this privacy issue—I don't want to call it a “breach,” but there could be many breaches. I feel that the process for a victim to come forward has somewhat changed because of the media exposure and social media and all the things that come with that. I know we've had some situations in the past just recently where there were situations of harassment and abuse and how that was managed. I think that we have to be cognizant of different cultures, and also the new way of professionally touching somebody, specifically in the massage profession, in the sense that we have to be cognizant of cultural norms versus professional norms.

I think that massage therapy being such a valid solution to stress management needs to be promoted. I think we're an overstressed and overworked society. I feel that espousing the benefits of massage therapy and the safety that comes with it—and not to be deterred by some stories, perhaps, or possible potential compromising situations in some cultures. I think I'd like to address that and bring my background and diversity training to that, as well, in the sense that we want to make everyone comfortable. I know for a fact that there are some cultures right now that would not participate in massage therapy just because of those potential situations that could arise.

Mr. Robert Bailey: I heard you say this would be your first experience in public service. I was going to ask you about sitting on regulatory or adjudicative bodies, but obviously this would be the first. Anyway, thank you for stepping forward.

You said you'd read the website and I guess you're part of the profession. Is that one of the reasons that you decided to apply to be a member of the college? Because of your background in this work?

Ms. Arpana Vora: I actually applied for three different councils. The other ones were the dietitian council and the respiratory therapists. Again, I feel that there are professions that allow you to deal with patients on a delicate, intimate level. I think the oversight is similar. I think my background in dealing with one-on-one situations, mediation and bringing protocol and precedent into the mix of consideration when we're making decisions spoke to me when I made my application.

In particular, for the massage therapists, I understand—if I recall correctly—there was actually a description in there that said that they'd like somebody to come

forward who was a visible minority, so that spoke very loudly to me. Looking at the website, I was very surprised to see how non-diverse the current board is. I'm looking forward to hopefully being a part of the solution to that.

Mr. Robert Bailey: Sure. Have I got a little more—

The Chair (Mrs. Cristina Martins): Oh, you've got about five and a half minutes, Mr. Bailey.

Mr. Robert Bailey: Good. Okay. I also note from your resume, etc.—your CV—that you are a manager and a part-owner or a business owner of a pharmaceutical company.

Ms. Arpana Vora: That's right.

Mr. Robert Bailey: Do you see that having a positive or a negative or a neutral impact on your position on the college?

Ms. Arpana Vora: Positive, in the sense that I have so much experience dealing with so many staff. My husband and I have grown our business from one small store to a number of stores now—over 15. This is over the last, I'm going to say, 16 years. That requires a lot of planning and a lot of personal relationships.

And things happen. I'm very fortunate that we've never had to deal with a harassment case as such, but we deal with issues. I sometimes do have to find myself pulling staff aside to speak with them one on one and dealing with the matter in a way that is conducive to healing and is solution-oriented. I feel like that's my positive that I bring to this. In terms of conflict of interest or in any other way, I would find it neutral.

The Chair (Mrs. Cristina Martins): Mr. Pettapiece?

Mr. Randy Pettapiece: You're a busy person.

Ms. Arpana Vora: I am.

Mr. Randy Pettapiece: They say if you want to get something done, you get a busy person to do it. I think that's how the term goes, anyway.

Ms. Arpana Vora: You took the words right out of my mouth.

Mr. Randy Pettapiece: I'm very impressed.

Can you tell me—it's J-A-I-N Society; is it Jain?

Ms. Arpana Vora: Jain.

Mr. Randy Pettapiece: Can you tell me what that is?

Ms. Arpana Vora: Sure. It's a faith. It's very similar to what you might know about the Hindu faith. It's a cross between the Hindu and Buddhist faiths. We believe in non-violence. We are all vegetarian. We promote peace.

Mr. Shafiq Qaadri: They're very nice people.

Mr. Randy Pettapiece: I can tell; I really can.

I come from rural Ontario, and one thing about being in Toronto and in this place is that you get to meet people of different ethnic backgrounds. It's certainly quite interesting to me.

When it said “Jain Society,” I thought it might have been like a service club or something like that.

Ms. Arpana Vora: Yes. The other part of entering into public service is that I get to promote that. I think there's a lot to learn from our philosophy of life. It is more of a way of life, more than a doctrine. It begins

with compassion and it begins with understanding. It promotes understanding from both sides. It's not a decision being handed down, but it's more to promote a decision being shared.

Mr. Randy Pettapiece: One thing I've learned here is that we may come from different backgrounds, but we all have a lot of similarities.

Ms. Arpana Vora: Yes.

Mr. Randy Pettapiece: It's interesting that way.

You have raised a considerable amount of money for different projects in your area.

Ms. Arpana Vora: Yes.

Mr. Randy Pettapiece: I'm interested in your time allocation and how you perceive doing this, because you're on the Toronto Real Estate Board. You're a real estate agent. You've got pharmacies going etc., plus all your other activities. Certainly, there's going to be a time commitment; it's not going to be an everyday thing.

Ms. Arpana Vora: That's what spoke to me.

Mr. Randy Pettapiece: I'm sorry?

Ms. Arpana Vora: That's what spoke to me the most.

Mr. Randy Pettapiece: Okay.

Ms. Arpana Vora: When I look at my level of service—I'll start with my family. That's the most important. I have four children.

Then I branched out—

Interjection.

Ms. Arpana Vora: Sorry?

Ms. Daiene Vernile: I just was saying, wow, that you have four kids.

Ms. Arpana Vora: Yes, and I'm so blessed to have them involved in everything I do. They are well aware of everything I do. They know the importance of service. It begins at home.

Then I branch out to the Jain Society, which is my next immediate circle of community. Outside of that would be India Rainbow, which is the larger community, and now my city and my province.

I think it's just a natural evolution for me, and I really enjoy bringing my children along for the ride. My son is 16 and he also shows great promise for public service. He's very interested in what I'm doing, specifically today. He was actually a page.

Mr. Randy Pettapiece: Oh, is that right?

Ms. Arpana Vora: Yes. He actually inspired me to come forward for public service.

What really spoke to me was the flexibility and the amount of time. I did review that very carefully, because if I'm going to do something, I do plan on—

The Chair (Mrs. Cristina Martins): Just under a minute.

Ms. Arpana Vora: —putting my full attention and full heart into it. I would never let any of my commitments be compromised.

Mr. Randy Pettapiece: Thanks, Chair.

The Chair (Mrs. Cristina Martins): We are now going to move on to the third party. Miss Taylor.

Miss Monique Taylor: Good morning. How are you?

Ms. Arpana Vora: Good morning. Great. How are you?

Miss Monique Taylor: I'm good, thank you. Thank you for being here with us today.

Ms. Arpana Vora: Thank you for having me.

Miss Monique Taylor: We seem to be trending lately here at Queen's Park. We heard of previous people who have given donations, worked for the Liberal Party. We see a lot going on here at Queen's Park when it comes to fundraising, donations, companies benefiting after giving political donations. We found that you personally gave \$5,000 to the Simcoe North by-election. You do not live anywhere near—you're looking at me quizzically. Was it not you?

Ms. Arpana Vora: No.

Miss Monique Taylor: Vora, Arpana, Ontario Liberal Party, 2015 by-election, Simcoe North, individual: \$5,000.

Ms. Arpana Vora: Simcoe North?

Miss Monique Taylor: By-election.

Ms. Arpana Vora: We've given to the party, but we've given to the Progressive Conservative Party too. I don't recall Simcoe North, no.

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Miss Monique Taylor: It was \$5,000. That's a large amount.

Ms. Arpana Vora: No, I honestly don't. Can you give me the name of the—

Miss Monique Taylor: Vora, Arpana.

Ms. Arpana Vora: No, to whom?

Miss Monique Taylor: To the Liberal Party.

Ms. Arpana Vora: It was just general Liberal Party?

Miss Monique Taylor: Whoever was the Liberal candidate who ran against Patrick Brown in the last by-election.

Ms. Arpana Vora: This is a surprise to me. If it was allocated to one particular—

Miss Monique Taylor: It's in your name, under "fundraising." Maybe that's something you want to look at also. I'll move on—

Ms. Arpana Vora: I mean, I'm not denying giving the donation. I'm just saying that I don't recall Simcoe North. I don't know what that means.

Miss Monique Taylor: It's in your name, \$5,000. That's a lot of money. That's a lot of money to not recall. But that's fine—

Ms. Arpana Vora: But that's not the only donation. I mean, we give lots of donations to lots of causes. I'm sorry I can't specify on this one, but we do. We give to many parties.

Miss Monique Taylor: I would love to have you on my donation list now, I guess—\$5,000 and you don't even recall it.

Ms. Arpana Vora: Sure.

Miss Monique Taylor: That's a lot of money.

But the thing is that we see big donations going into the Liberal Party, and now we see appointments coming back—and quite frankly for a massage therapy board that you really have no experience in. That's a concern of

ours, as New Democrats, that you have no background whatsoever in massage therapy.

Ms. Arpana Vora: If you'd allow me to speak to that—

Miss Monique Taylor: Of course.

Ms. Arpana Vora: I believed when I was reading that that the entire purpose of the public appointment was to be a layperson and to not have any connection or background in massage therapy, and to speak for the public who would not know anything about massage therapy. I think that the benefit of looking through the lens of the public and bringing that position to the board is what I value. I thought that's what I was doing. I didn't know that I was supposed to have background for massage therapy. That's not the message I got from the description of the job.

Miss Monique Taylor: Okay. Under the regulation by the college, you would “develop, establish and maintain standards of knowledge and skill and programs to promote continuing ... competence” among members. How would you do that?

Ms. Arpana Vora: From my understanding, I would be briefed. There is a brief period in the beginning where all members of the board are briefed for information. I've already begun my research. Like I said, I had already reviewed the website and gone through how they process discipline, what happens afterwards. I've already read pretty much all of the guidelines and policies for the committees on their website to familiarize myself—but not before I applied, after I applied. That's just to give myself a background, but not to overstep my pay grade in the sense that I am here to represent the public. That's what I'm here for. I'm not here for any agenda for massage therapy per se and I have no interest in being a massage therapist. I like massages.

Miss Monique Taylor: We all do.

Many massage therapists will want to or will have studied overseas rather than in Canada. Since many of the techniques they use did not originate as part of our culture, as a member of the regulating body for the profession, you will be required to ensure that anyone educated overseas meets Canadian standards. How will you handle the balance between ensuring practitioners meet Canadian standards and also ensuring that they are able to conduct their practice in the manner that they have been trained to?

Ms. Arpana Vora: That's a great question. I think that touches a little bit on what I meant by the diversity and the different cultures that are involved with massage therapy. You're right; I think that profession is bringing in more and more people from around the world. Every time I have a massage I realize that. I agree with one thing: We do need the standardization and we do need to know that they're bringing the level of professional standards to their practice here.

I have not looked into what qualifies a registrant in the sense that I have not gone through that educational process. My guess is that many people on the board would be able to advise me on that. I'm almost sure that

there would be a process in which they would have to apply and their credentials would be carefully screened. If not, they probably have to actually undergo some new courses and testing, my guess is, to pass here, and not just to be able to walk in from another part of the country and automatically pay a due and be a registrant. My guess is that they would have to be retrained here.

Miss Monique Taylor: That's good, because it is important that we keep to Canadian regulations, right?

Ms. Arpana Vora: Absolutely.

Miss Monique Taylor: One of the important roles as a member of the college is to sit on several committees that deal with complaints and discipline. I know you've touched on this earlier. Have you ever been on any other boards or adjudicating bodies?

Ms. Arpana Vora: Adjudicating, no. Being a president of the Jain Society of Toronto, being a non-profit and a faith-based organization, I'm going to say that, informally, I've had to handle the whole gamut. I've had to handle adjudication, mediation. I've handled conflict. Within our organization, we also have, I'm going to say, four to five different sects of groups, and mediating between them has become something that I feel I've been very productive at. I feel like I can bring that to the board, although I did not formally do that.

Miss Monique Taylor: I don't think I have any further questions.

The Chair (Mrs. Cristina Martins): No further questions? Thank you, Miss Taylor.

We're now going to move to the government side. You have six minutes and 17 seconds, Mr. Qaadri.

Mr. Shafiq Qaadri: Welcome, Ms. Vora. As a physician, I appreciated your comments about touch. We, of course, use phrases like “therapeutic touch.” I was also intrigued by your comment: public touch, private touch, and of course the therapeutic touch. Tell us a little bit more about your thoughts on how you might use that thinking in your new responsibilities.

Ms. Arpana Vora: Yes. What I meant by “public” is, obviously, you're in a workplace, you're in a grocery store, and somebody brushes you. You're in a workplace and there might be an inappropriate touch here or there. But what determines inappropriate? If we don't have solid codes of conduct and sensitivity training, it's “he said, she said,” “she said, she said,” “he said, he said.”

When I mean “private,” I mean what's acceptable in your own home, in your own culture, versus this private setting in a professional setting, which is behind a closed door in a public setting, for a massage in particular in this case. “Therapeutic touch” is just that: It's meant to be therapeutic, but we do have to be culturally sensitive. We do have to invite more input on that matter, on what's appropriate and what is not appropriate.

Being on the adjudication side of things, I would be able to lend some sensitivity to that, why one person may feel that that's not inappropriate versus somebody feeling that some form of touch was inappropriate. I think that's probably the basis of exactly what the complaint would be in many cases. Diversity and different cultures deter-

mine that level of touch—or I'm going to say the tone of the touch—differently. We need to be more aware of that to allow and welcome and encourage all cultures, all backgrounds equal access and promote the therapeutic end of massage.

Mr. Shafiq Qaadri: I think all of us here on the government side, and perhaps this row of committee members, appreciate the professionalism and not only the cultural but also the professional sensitivity that you've displayed in your answer.

I would turn it over to Ms. Vernile.

Ms. Daiene Vernile: And now for something completely different, I just want to go back to something that my NDP colleague mentioned about the contribution that you made. When you do contribute—and you mentioned that you have made political contributions, both to the Progressive Conservative Party and the Liberals. When you give, you just give generally to a fund.

Ms. Arpana Vora: That's right.

Ms. Daiene Vernile: You're not specifying where it goes; is that correct?

Ms. Arpana Vora: Exactly.

Ms. Daiene Vernile: So you may have given, as you noted, \$5,000 recently, but it wasn't specifically to go to a particular election or by-election?

Ms. Arpana Vora: No. Absolutely not, no.

Ms. Daiene Vernile: Okay. Thank you very much.

The Chair (Mrs. Cristina Martins): Thank you, Ms. Vernile. Any other questions by the government? No?

Thank you, Ms. Vora. I'm going to ask you to step down. This concludes the time allocated for this interview.

We will now consider the concurrence for Brenda Lucas, nominated as member, Ontario Clean Water Agency.

Yes, Mr. Pettapiece?

Mr. Randy Pettapiece: May we have a recorded vote on this, please?

The Chair (Mrs. Cristina Martins): Yes, a recorded vote has been requested.

Would someone please move the concurrence? Mr. Qaadri.

Mr. Shafiq Qaadri: I move concurrence in the intended appointment of Brenda Lucas, nominated as member, Ontario Clean Water Agency.

The Chair (Mrs. Cristina Martins): Any discussion?

Ayes

Kwinter, Mangat, Qaadri, Vernile.

Nays

Bailey, Pettapiece.

The Chair (Mrs. Cristina Martins): The motion is carried. Congratulations, Ms. Lucas.

We will now consider the concurrence for Arpana Vora, nominated as member, Council of the College of Massage Therapists of Ontario. Would someone please move the concurrence?

Mr. Shafiq Qaadri: By the way, it's "Arpana."

I move concurrence in the intended appointment of Arpana Vora, nominated as member, Council of the College of Massage Therapists of Ontario.

The Chair (Mrs. Cristina Martins): Thank you very much, Mr. Qaadri, for the phonetic correction of the name. Any discussion?

All in favour? Opposed? The motion is carried. Congratulations, Ms. Vora.

Seeing that there are no other nominees and no other business, the committee is being adjourned.

The committee adjourned at 0951.

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STANDING COMMITTEE ON GOVERNMENT AGENCIES

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Legislative Assembly of Ontario

First Session, 41st Parliament

Assemblée législative de l'Ontario

Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 31 May 2016

Journal des débats (Hansard)

Mardi 31 mai 2016

Standing Committee on Government Agencies

Intended appointments

Comité permanent des organismes gouvernementaux

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 31 May 2016

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mardi 31 mai 2016

The committee met at 0901 in committee room 2.

SUBCOMMITTEE REPORTS

The Chair (Mrs. Cristina Martins): Good morning, everyone. Welcome to government agencies. Before we begin our intended appointments review this morning, our first order of business is to consider two subcommittee reports.

We have a subcommittee report for Thursday, May 12, 2016. Would someone please move adoption of the report?

Mr. Randy Pettapiece: I move adoption of the subcommittee report on intended appointees dated Thursday, May 12, 2016.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried.

We have a second subcommittee report, dated Thursday, May 19, 2016. Would someone please move adoption of the report?

Mr. Wayne Gates: I move the adoption of the subcommittee report on intended appointments dated Thursday, May 19, 2016.

The Chair (Mrs. Cristina Martins): Discussion? All in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MS. SHARYN VINCENT

Review of intended appointment, selected by official opposition party: Sharyn Vincent, intended appointee as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Chair (Mrs. Cristina Martins): We will now move to the appointments review. We have two intended appointees to hear from today. We will consider the concurrences following the interviews.

Our first intended appointee today is Sharyn Vincent, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario). Please come forward and take a seat at the table. I wanted to welcome you and thank you very much for being here today. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Welcome, and you may begin.

Ms. Sharyn Vincent: Thank you. Good morning, Chair and members of the committee. My name is Sharyn Vincent, and I'm here this morning to discuss with you my interest and expertise, which I believe will make me an effective member of the Ontario Municipal Board.

I have both an academic background and a professional career in land use planning. As a land use planner and development consultant, I have worked in both the public and private sectors.

This Ontario Municipal Board appointment would allow me to bookend my career by working as an adjudicator in a realm in which I've been involved and for which I have tremendous respect.

My work experience as a planner in both sectors has given me considerable experience in interpreting and applying the relevant provincial and municipal policies and laws that guide land use and development in Ontario. I also work frequently as a member of multidisciplinary teams, encompassing the wide range of experience necessary to implement development projects.

My role as both a consultant and a municipal planner has given me broad exposure to policy documents, regulatory bylaws, methodologies, data sources and all forms of architectural tools, and I believe I've developed a solid expertise in testing the veracity of arguments formulated in support of development applications.

As an expert planning witness before municipal authorities and the OMB, I have acquired an intimate knowledge of the municipal approval process and the quasi-judicial mandate and adjudicative responsibility of the OMB.

As part of its practice, the board offers mediation to the parties before it. I endorse mediation as a proven approach to depolarize opposing interests to achieve settlement, with the resultant savings of time, expense and stress.

Not all matters can achieve settlement. It has been my experience that parties are given an opportunity to argue the conflict before an objective panel which has no interest other than weighing evidence and rendering decisions pursuant to the legislative framework set out by the province and the respective municipal jurisdiction. I believe, for all of the foregoing, that as a member of the OMB, I can and will make a meaningful contribution to the work of the board in resolving land use issues and meeting the planning objectives of the province.

The Chair (Mrs. Cristina Martins): Thank you very much. We will now begin our questioning with Mr. Gates.

Mr. Wayne Gates: Good morning. How are you today?

Ms. Sharyn Vincent: I'm well, thank you.

Mr. Wayne Gates: I just had a few questions for you. I'll read it out so I get it right. I'll read slowly. As you are no doubt aware, the OMB has often been accused of siding with developers in the face of local and municipal opposition to development projects. In fact, in some cases, the OMB has gone so far as to essentially rip up municipal planning documents created by duly elected members of local councils. Given this, do you believe that the OMB should continue to operate in its current format, or do you believe that changes are needed to better balance the system?

Ms. Sharyn Vincent: As I'm sure the member is aware, there are a number of things that are actually being taken as very proactive initiatives by the Legislature. Bill 73—which has been approved, and I presume the imminent proclamation would come during this session—actually addresses a number of changes to the Planning Act which would allow municipalities, at their election, to bring practices back into their own control to allow for mediation at their level after the actual lodging of appeals at the municipalities.

I think that that recognizes the validity of actually going through the public process, bringing things to a decision, and then recognizing that where there are still conflicts, there's still also the potential for mediation. I believe that the board practice in mediating outstanding matters and conflicts has actually proven to be very successful in trying to, as I said in my statement, depolarize the conflicts. They're refocusing them, which, unfortunately, sometimes is not adequately put forward during public participation in the process. So I think there's that.

I'm also aware that there is a commission looking into the actual workings of the Ontario Municipal Board. I know that it has been my experience—and I'm aware anecdotally of the types of measures—that they continuously look at themselves in terms of reviewing their practices to make them accessible to the general public.

I can only speak to my own experience, but I believe that in general, the board can only render decisions based on the evidence put before it, and that would be derived from the official plans and the zoning bylaws as put forward by the municipality. The act itself is looking at creating new time periods during which appeals would not be accepted to ensure that, for example, the ink is dry on the document before it's being challenged before a provincial body after the municipality has put considerable time and effort into their public process and their deliberations.

I think there's a whole series of things that are going on right now that will allow the local municipalities, at their election, to recapture the autonomy which I gather from your concern you think has been perhaps eroded from them.

Mr. Wayne Gates: No, I think what my question was about was: Do you believe that a better balance is needed for the system when you have duly elected representatives making decisions, and corporations and developers just going into the OMB and getting those decisions overturned?

A follow-up to your answer, because it was interesting to me: Right here in Toronto, do you believe the city of Toronto should be subject to the OMB, given that they have repeatedly asked to be removed from its jurisdiction? Obviously, you have big problems in Toronto because they want no part in the OMB, and there are reasons for that. Do you believe that the city of Toronto should be allowed to not go to the OMB?

0910

Ms. Sharyn Vincent: The City of Toronto Act was amended a number of years ago—and I apologize for not knowing precisely when, but I think that it was at least five or six years ago—to actually allow for the municipality to establish its own appeal jurisdiction. To date, they have not elected to invoke the permissions that have been allowed to them under the legislation, but that clearly exists for them. I presume that they're looking at both the administrative and financial implications of that. But that possibility currently exists for them.

Again, the legislation has been responsive to the concerns expressed about local autonomy.

Mr. Wayne Gates: I actually was a city councillor for three and half years. We just had a situation in Niagara Falls where the elected reps—there are eight in Niagara Falls—and the mayor unanimously supported not to allow a service station at a very busy corner that is approximately half a block in front of a school, and they turned it down. They go the OMB, and the OMB turns it down. There's a service station now that's almost adjacent to the school.

These are the types of decisions that are happening that—certainly, for our community—aren't the best decisions, yet people continue to go to the OMB. I guess the problem that we're having is that elected representatives are making decisions based on what is in the best interests of communities, and the OMB continues—and you can say “evidence-based.” Sometimes, it's how the case is presented. Those types of decisions are happening every day in communities right across the province of Ontario. I think that we have a problem.

The only other questions that I think that I'll have for you is—I'll just get to it here; it's back here a page: What are some of the challenges facing the board?

Ms. Sharyn Vincent: Challenges facing the board? Well, I think that, despite the access through the Internet or through consultation, there are often individuals who appear unrepresented and may not fully appreciate the decorum of the board, despite the fact that there are resources to acquaint themselves. I think that, because that board has recognized that and has actually encouraged people as much as possible to go to a much—let's call it—less formal but still as effective mediation process, that has proven to be a model that's less stress-

ful, less formidable and certainly less costly to, particularly, the individuals who might actually be attempting to represent themselves. I think that that continues both for the decision-maker and for appellants, be they third-party or the actual appellants themselves, to deal with.

Mr. Wayne Gates: Okay. Thanks. I have no questions. I'm good, thank you.

The Chair (Mrs. Cristina Martins): You're good?

Mr. Wayne Gates: Yes.

The Chair (Mrs. Cristina Martins): Thank you so much, Mr. Gates. We'll now go to Ms. Vernile. You have seven minutes and 42 seconds.

Ms. Daiene Vernile: I would like to, first of all, thank you for putting your name forward and for wanting to serve. Bear with me as we try to compete with the weed whacker outside trying to upstage us.

You mentioned Bill 73. I wanted you to comment on the positive aspects of the legislation and how it would assist the OMB in conflict resolution.

Ms. Sharyn Vincent: It has been my experience that once—to use the cliché—the lines are drawn in the sand between a proponent and the approval authority—or a neighbour, because it's not always simply the appeal of a municipal decision or a council decision—it really takes the coming together, again, of the parties, to actually sit down and have somebody who is more fundamentally listening to what the individual parties are saying, as opposed to necessarily the prepared statements that are coming before them that are attempting to, either very intelligently or in a shotgun fashion, take away from the merits of a proposal.

I think that the changes to the act are going to allow municipalities to create an extended appeal period. After an appeal has been filed after the final date, which we now know it to be, there would a period of 90 days for the municipality, through a mediator at their own level—I'm not sure whether it's to be determined at the provincial level or at the municipal level; I believe it's at the municipal level—to bring those parties back to the table to see what in fact, if anything, can be done in terms of narrowing the issues. Sometimes narrowing the issues is a very significant matter in terms of eliminating or reducing the costs of a hearing, in terms of whether it can be determined through basically a statement of agreed facts that these particular aspects of a proposal are not at issue—that it really can bring things to a focus. That's where I think mediation is most effective, and I think that the legislation will allow the municipality to have that brought back within their autonomous realm.

Ms. Daiene Vernile: What compelled you to want to put your name forward and to want to commit yourself to this kind of public service?

Ms. Sharyn Vincent: Having done it for a number of years—I mean, I've always been very much involved and interested in change and the management of change, obviously, from my academic background. I've really respected the work that the Ontario Municipal Board does, where they have to stand outside of the political, deal with the quasi-judicial responsibility that they're

given, and work within the framework of the documents. I think that my experience will give me the opportunity to contribute not only in terms of having broad exposure as to sometimes reading between the lines of the words, but also interpreting the actual documents, looking to what the intent of the document is.

Ms. Daiene Vernile: I see that you are a graduate of U of W, the urban planning course there. That's in my backyard. I think that that has served you very well. Thank you very much.

Ms. Sharyn Vincent: Thank you.

The Chair (Mrs. Cristina Martins): We'll now go to Mr. Pettapiece.

Mr. Randy Pettapiece: Good morning.

Ms. Sharyn Vincent: Good morning.

Mr. Randy Pettapiece: I see that you've worked as a municipal planner and as a consultant, where I assume that you've advised developers. I also see you've been retained as an expert witness before the OMB. Can you speak about your experiences before the OMB and those different rules?

Ms. Sharyn Vincent: Typically, as a consultant, you're not there under subpoena, which can often happen as a municipal planner, where you have actually made a recommendation to a council that they may not have elected to pursue or approve. That's a little bit of a different type of experience.

But fundamentally, the role of the planner is to be there as an objective witness, to give opinion evidence. Unlike a lawyer, they're not there as an advocate, even if they have supported an application or made recommendations to refuse an application. They're still subject to having to defend their opinion evidence under cross examination. So the roles aren't significantly different, other than when there is the potential additional stress of actually having to appear under subpoena.

Mr. Randy Pettapiece: Okay. You work for a planning and development consultation firm now?

Ms. Sharyn Vincent: It's my own firm, yes.

Mr. Randy Pettapiece: That's your own firm. Are you not going to work for your firm again if you get the appointment, or do you see that there may be a conflict of interest here?

Ms. Sharyn Vincent: Over the last five years, in particular, my practice has taken on a very different type of focus where I have, for all intents and purposes, almost been semi-retired from the very traditional high-paced role of a development consultant. I've been taking only files that are related to sole proprietor, commercial users, retail stores that are not part of a chain, residential property owners, individuals—so they've all been one-off types of files that have needed independent consultation, where either their other consultant hasn't been able to actually be successful for them or where they've attempted to manage it with the consulting team in lieu of actually having a planner on the team. So my distance between my former corporate clients and myself is considerable.

I'm not exactly sure what I will do after the appointment, so I'm afraid that I can't answer that. Clearly being part of change is—

Mr. Randy Pettapiece: I think you might agree that people could perceive this to be a conflict of interest because of your firm and then going on the OMB—

Ms. Sharyn Vincent: Well, the firm, for all intents and purposes, will be shelved during the time of the actual appointment. There is a very rigorous in-house vetting process at the Ontario Municipal Board to ensure that nobody who's ever been associated with an appeal matter coming forward for adjudication would have any access to the matter or the file. That's something that I would be keeping in constant review any time a matter came forward, but other than one very small file that I am aware of right now, I don't perceive any matters that I've been involved with in the past actually coming before the board.

0920

Mr. Randy Pettapiece: You used the word “perceived.”

Ms. Sharyn Vincent: Pardon me?

Mr. Randy Pettapiece: You just used the word “perceived.” It may be a perception that this could happen, is what I'm suggesting, because of your background.

Interruption.

Mr. Randy Pettapiece: I'm glad that guy started up again. I'm glad we have Hansard.

I was a former municipal councillor, and I can tell you from our experience with the OMB that we tried to do everything in our power to not go there because of the expense, which was one of the bigger things. Even if we thought we had a chance of winning a case, expenses sometimes held us back from going to the OMB. That's not good. That's wrong.

There's a perception that the unelected OMB controls much of Ontario development, and I would like your response to that claim. As an adjudicator, what kind of regard will you have for municipal decisions?

Ms. Sharyn Vincent: As an adjudicator at the board, you can only look to the evidence that's put to you. The Ontario Municipal Board does not have any independent authority to create policy or to do anything other than actually weigh the evidence of the experts that are put to them in terms of the interpretation of the official plan, the zoning bylaws, and the appropriateness of a development in terms of how it fits within its context. As in all disputes, there are winners and losers. I think that the approach of the board and certainly the initiatives through Bill 73 have come to recognize the merit of bringing matters to mediation prior to adjudication to see whether there are matters where sometimes a solution that's not necessarily on the table can be very palatable to all parties and may not relate to what the development application is in terms of the specifics of the development but may go a long way.

Again, I think that the expense issue is being addressed through the promotion of mediation. There are some municipalities that I'm aware of, too, that also put

together small reserves where there are individuals of a ratepayers' group that can come to the municipality for some support for independent consulting where even the ratepayers' group may not be ad idem with the council decision. So there are different ways of dealing with it, but I really think that mediation in terms of bringing the parties to the—

Mr. Randy Pettapiece: I can assure you, we would try to do the mediation even if it wasn't legislated, just because it was less money to do that—“Let's work it out amongst ourselves”—but as you may understand or you may have heard of things that have happened where you have a legislative change, which you certainly don't have control of on the OMB, yet some municipalities, especially rural areas, are very cynical of not only the OMB but of some of these legislative changes which take planning rights out of their hands.

I go to the Green Energy Act, which did that with the location of wind turbines, where municipalities had no say in that anymore. I think you can understand that there may be some lack of trust, if I could put it that way, especially when, if you can't get it done in your own municipality by yourselves, it's a very expensive legal cost involved in going to the OMB, or it could be. You have legislation that changes things where you can't act anyway. So I think that's why some municipalities are a little bit cynical of this whole system.

My friend here has a question.

Mr. Robert Bailey: Have I got some time left?

The Chair (Mrs. Cristina Martins): You've got two and a half minutes.

Mr. Robert Bailey: Oh, great. Thank you, Ms. Vincent, for coming in today. I think you answered most of the questions I had—the ones I heard, anyway. I didn't hear them all. I had one question here about, as a number of people have talked about, reforms to the OMB, which have been called for as long as I can remember. I was on municipal council back in the 1980s, and I know that there were issues with the Ontario Municipal Board at that time. That hasn't changed.

As you've worked closely with the OMB throughout your career, what are your thoughts on its effectiveness, and can you elaborate—I know you're just going to go on there if this appointment is successful—on any ideas of how it could be more effective? Have you any ideas on how it could be made more effective and more user-friendly?

Ms. Sharyn Vincent: I think that there are many opportunities for people to come and witness a hearing so that they know what they're getting into. I think that even just being in the physical room is very helpful for those that might not ultimately be represented. Sometimes people come from a committee experience at a local level or a committee of adjustment and aren't quite aware of the fact that it is a little bit more formal.

It has been my experience that most of the board members or panels are very welcoming and are very helpful to people who may not be informed in terms of just what the decorum is before the board.

I think that we can all look forward to what the recommendations coming out of the ongoing commission will be. There's certainly going to be considerable opportunity for people to input and to review the effectiveness at the board itself.

Then, of course, we'll also have the opportunity of looking to what the city of Toronto experience proves to be, should they elect to take advantage of the authority that they have under their own legislation to pull back the appeal panel to their own jurisdiction.

I think that there's a whole series of things that are happening. It's a very dynamic time right now both for evaluating the process and for formally acknowledging, through the changes in the legislation, what the municipalities have been saying in terms of regrouping and reclaiming some of the autonomy.

Mr. Robert Bailey: Okay. I have nothing further.

The Chair (Mrs. Cristina Martins): You only had a second left.

Thank you very much. That concludes the time allocated for this interview. You may step down. We will consider the concurrences following the next interview.

MS. TERESA PIRUZZA

The Chair (Mrs. Cristina Martins): Our next intended appointee today is Teresa Piruzza, nominated as member, University of Windsor board of governors.

Please come forward, Ms. Piruzza. It's wonderful to see you here. Welcome, and thank you for being here. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. When question time does begin, we will begin with the government side. Welcome, Ms. Piruzza.

Ms. Teresa Piruzza: Thank you, and good morning. Let me just get settled here.

Good morning, everyone. It's a pleasure to be here this morning. I'm running from another meeting, so I guess some things don't change when you're in Toronto. You're always running between meetings. I just need a moment to get focused.

Good morning, Madam Chair and members of the Standing Committee on Government Agencies. It's always a pleasure to be back here, and I am pleased to be here this morning to outline my experiences as they relate to my application to serve on the board of governors at the University of Windsor. It is my honour to be here, and I look forward to our discussion over the next half hour or so.

I thought I would start with a walk-through of my resumé, which outlines my education and experience and hence my attributes that will contribute positively to the University of Windsor. I'm sure that the members of the committee have been provided with a summary of my application, and I would like to provide more details.

My education and experiences have provided me with extensive experience in community partnerships, com-

munity development, relationship building and problem solving.

Starting with my education: I am a graduate of the University of Windsor, for both my BA in international relations, which consisted of studies of economics, history and political science, and my MBA. While it seems like graduation was yesterday, it was a number of years ago, and there have been some amazing changes on campus since I was a student there.

I also have a master's certificate in municipal management from York University, training in alternative dispute resolution and communications.

I am currently with Fiat Chrysler Automobiles, or FCA Canada, in the external affairs and public policy unit.

Prior to FCA, as you know, I was the member of provincial Parliament for Windsor West, the Minister of Children and Youth Services and the minister responsible for women's issues.

0930

As the MCYS minister, I led the fifth-largest ministry in government and co-chaired both the Healthy Kids cabinet committee as well as the poverty reduction and social inclusion committee.

As minister responsible for women's issues, I led the Ontario Women's Directorate, focused on championing equality, reducing violence against women and improving women's economic security.

Prior to becoming a minister, I was the PA to the Minister of Citizenship and Immigration. As the PA, I led province-wide consultations to inform the development of Ontario's first immigration strategy.

I think everyone in this room certainly knows the role of an MPP, so I don't need to go into what I experienced through that period.

Prior to my election as the MPP, I worked at the city of Windsor. I was with the city for 10 years, moving through various positions, with my final position as the executive director of employment and social services. In the role of executive director, I was responsible for the overall management and monitoring of the department, which was the largest in the city, with about 200 employees and a budget of approximately \$28 million.

The city of Windsor is the Consolidated Municipal Service Manager, or CMSM, for Ontario Works and Employment Services for the Windsor-Essex region. While at the city, I served on multiple provincial committees, including the OW Funding Principles Working Group, Human Services Implementation Steering Committee, and the Director-Administrator Reference Group. I was also a director with the Ontario Municipal Social Services Association, or OMSSA.

I'm also a founding member of Workforce Windsor-Essex and led the Windsor Essex local immigration planning council, and served on Pathway to Potential, our local poverty reduction group.

I worked with all community agencies in the area, including the university and St. Clair College, to develop partnerships to provide support and services for our

clients. Over the years, and as my children have moved through the education system, I always stayed involved in their schools, both at the primary and secondary levels.

Back in the fall, I received a call from a representative at the University of Windsor, canvassing my interest in applying for the appointment to the board. My name had come forward from the board committee of the university that recommends appointments. I was honoured to have been asked, and I indicated that I would be interested in joining the board and welcomed further discussion. This conversation was followed up with a call from the president of the university, Dr. Wildeman. I truly consider it as an honour and a privilege, given that I'm a graduate of the university, as I mentioned previously.

As far as why I'm interested in serving as a member of the board for the university, I believe that universities play a critical role in their communities, and I also believe that this is an exciting time for universities, bringing forward challenges and opportunities. Universities, of course, are institutions of higher learning, committed to advancement and the betterment of society.

As a board member, I will be part of the conversations as the University of Windsor prepares for the future. As well, my experiences as an MPP, a minister and an executive director of a large city department provide me with the background necessary to contribute to the overall governance of the university on issues of both strategic and operational priorities.

In terms of community development, the university, over the years, has partnered with many local agencies, ensuring that students experience the practical application of what they are learning in classes and see first-hand the impact they can have as individuals. The university is going further in this role by moving the school of social work downtown, soon to be joined by the school of creative arts.

The university also has a role to play with local industry. For example, the university and FCA Canada have had a long history of working together. In fact, this year, the Automotive Research and Development Centre in Windsor is celebrating its 20th anniversary. The ARDC is FCA Canada's research and development centre; it began as a partnership between FCA and the University of Windsor. The ARDC opened in 1996 and was the first partnership of its kind in Canada.

This is just one example of the partnerships that the university has forged locally to support research across many different fields: in manufacturing, in the sciences and in health. From cancer research to vehicle technologies and the Great Lakes Institute for Environmental Research, there are exciting developments coming out of the University of Windsor.

The University of Windsor and FCA Canada are also partners in a unique education experience with the Politecnico di Torino for engineering students. Master-level students spend one year studying at Windsor and one year studying in Torino, Italy. The research, thesis and analysis are defined and supported by FCA Canada. This provides Canadian students the opportunity to study

in Italy and learn in a different environment, while Italian students come and experience a Canadian university. Providing opportunities for an international education provides for richer experiences and perspectives for both the Canadian student and the international student.

The role of universities, as with all institutions, is evolving. While they've always been a reflection of the students they serve, I think the challenges and opportunities today are more complex than they have been in the past. Universities also face the global trends that we know exist: changing demographics, rapidly changing technology and student perspectives, to name a few.

I'm proud to be a graduate of the University of Windsor and see the exciting opportunities that lie ahead for the university. I'm honoured to be provided the opportunity to serve on its board. I hope that this brief introductory statement has outlined for you what I believe are the salient pieces of my education and experiences that I will bring to the table as a board member.

Madam Chair, I think I'll stop here and provide some time for discussion. I look forward to responding to questions about my education, my experience and my interest in this appointment. Thank you.

The Chair (Mrs. Cristina Martins): Thank you so much, Ms. Piruzza. We will begin with the government side. Ms. Wong, you've got one minute.

Ms. Soo Wong: One minute? Oh, my.

Thank you so much, Teresa, for coming back. It's always great to see you again. I also want to personally say thank you for your continued interest in your community's engagement but, more importantly, giving back as an alumni of the University of Windsor. So thank you. That's all I wanted to say. Thank you.

Ms. Teresa Piruzza: Thank you.

Ms. Soo Wong: I only had one minute; right? I can't ask any questions.

The Chair (Mrs. Cristina Martins): Ms. Vernile?

Ms. Daiene Vernile: May I ask you, Teresa, what compelled you to want to stand for a position on the board of governors at the University of Windsor?

Ms. Teresa Piruzza: As an alumna, I'm very proud to be from the University of Windsor. I believe, as I indicated, that these are exciting times for universities in terms of opportunities, in terms of really seeing what their role will be moving forward, and their role in the community as well.

But it was also an opportunity for me to be re-engaged in part of that discussion. As a member and as a minister, I had had a number of opportunities to meet with the president of the university and with the administration for various discussions, and I look forward to continuing that.

The Chair (Mrs. Cristina Martins): Thank you very much, Ms. Piruzza. That concludes the time of the government. We're now going to go to the opposition. Mr. Pettapiece.

Mr. Randy Pettapiece: Nice job; you limited the government from going on. Just perfect. One thing I'd

like to ask you about: You've been involved in education—oh, good to see you again, by the way.

Ms. Teresa Piruzza: Nice to see you, too.

Mr. Randy Pettapiece: You've been involved with education for a long time. Were you involved in your high school organizations when your children were in high school? Were you involved with an organization in high schools?

I guess what I'm getting at is that we've certainly had issues where I'm from with children maybe not being pointed in the right direction as far as skilled trades and that type of thing. If you want to go to university, that's fine, but some of these other opportunities haven't really been put forward to kids, especially in the high school setting. Would that have been the experience of yours, or have you seen that?

Ms. Teresa Piruzza: In terms of what you're asking in terms of my volunteer involvement, yes, I've been involved. The high school my kids go to, and my younger son is still there, is Assumption in Windsor, so yes, I'm involved there.

But part of my experience—and what I didn't suggest in my comments, because it was one of my first jobs out of university—was as a labour market analyst with the federal government, with Service Canada, or HRDC at the time, when local offices had labour market analysts.

So in terms of determining direction or skill shortages, what I'm suggesting is that that's not a new question. That's not a new concern. It's one that has always been there: How do you get students, how do you get counselors in high schools to recognize the broad array of opportunities that are available, and how do you expose students to that, as well?

That's certainly something, both as the Minister of Children and Youth Services and the minister responsible for women's issues, and as a member as well: How do you ensure those directions and that we're responding to the needs of industry and the needs of our communities in terms of those positions? Certainly, there's more work to be done, as we know, in terms of addressing that issue.

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In a way, just as environment is becoming more complex for universities, the environment of what to study or what direction to go into I think is more complex because of the ever-changing and quickly changing technologies that are coming to fore as well in the economy. I don't think we can say today what the technology is going to look like four years from now or five years from now. We have to look at what the basics are and ensure that students are aware of what different opportunities may arise. So I agree with you that there is work that needs to continue to be done at the post-secondary.

I have seen improvements over the years with the introduction of different types of apprenticeship programs in the universities, different types of certificate programs and the increase of co-op. When I was in high school, we didn't have co-op. You now see high-school students having co-op and internship-type positions. So that is certainly an area.

Mr. Randy Pettapiece: Yes, I can see that technologies certainly have changed, and I agree with that, but some technologies haven't. To wire a house is pretty much the same as wiring a house 10 years ago. Welding hasn't changed a lot—

Ms. Teresa Piruzza: That's the building of the apprenticeship program.

Mr. Randy Pettapiece: —and things like that. I know that we have a shortage, where I'm from. In fact, it was brought up to me again last week at a factory that they can't find people to do these things. So I think there has to be some attention paid to that. I was just wondering what your experience was at the high school level.

I'll turn it over to my colleague.

The Chair (Mrs. Cristina Martins): Mr. Bailey?

Mr. Robert Bailey: Welcome back, Ms. Piruzza. Good to see you here at Queen's Park again. Thank you for hosting us. We had a tour—I guess it's a couple of years ago now—of the Chrysler facility at Windsor.

Ms. Teresa Piruzza: The ARDC, which is celebrating its 20th anniversary.

Mr. Robert Bailey: Yes. I heard you mention that in your remarks. Good for you. I'm sure you'll be a real asset if you go back to where you got your education as well and join the alumni. That would be good.

There's a lot of discussion—we just had some here—about university education and whether it's actually preparing students for skills that they need when they enter the workforce. First of all, do you see that as an issue, and, if so, what can be done to bring that skills gap together? The other one, the second part to that—and maybe if you want to answer it first because you probably answered it with Randy's question there. What do you see as one of the greatest opportunities facing provincial universities, and Windsor in particular?

Ms. Teresa Piruzza: Again, in terms of the question on the skills gap, there's not a one-type answer to that. You need the university involved. You need the colleges. You need the full education system. Where, in the past, some programs may have been introduced in the senior years of high school—in terms of what some of those trades were that we were just talking about—I think those need to be introduced at a younger age. So it's really a full system that needs to respond to those types of skill gaps and skill shortages. In terms of the university's role in terms of covering some of those gaps, it's that continued partnership in community, it's that continued discussion with industry, in terms of what they're looking for or what's required.

I think, too, what we forget and what we can't overlook is those other skills that come from going into any type of higher education, be it college or post-secondary. That's things like communication skills and team building and those softer skills as well that, I think, sometimes get underestimated in terms of their importance.

We also hear from employers—and now I'm going back to when I was at the city, as director of employment services, and when I was a labour market analyst. We

also hear from employers that some of those soft skills are just as critical as the technical skills that they learn when they're on the job. Those are skills I think that you attain in any program that you go into, in college or university, at any level of post-secondary education. I think that's something that is critical, that we can't underestimate those softer skills that are required.

In terms of opportunities for the university, as I said, the university looks much different today than it did when I was there about five years ago, when I was at the university as a student—a bit longer than five years ago. In terms of development, of really partnering with the community and really opening itself up—whereas the University of Windsor was always in its own location, I see its partnership with the community growing in terms of moving the school of social work downtown, where it can really work with community agencies and really ensure those opportunities for students, and bringing even the school of creative arts downtown so it's really engaging itself with being a part of the community and really growing in that role.

On the other side as well, in terms of the research side, we also see growing partnerships across universities in terms of the research that industry needs, and really focusing on what our strengths are in terms of manufacturing and industry—even in terms of the cross-border institute, which is at the university and which is looking at the impacts of trade and the impacts of transportation and logistics across the bridge and across the border, because of our location. It's really capitalizing on what our community is, who our community is, and really shining in that role.

Mr. Robert Bailey: That's all I have.

The Chair (Mrs. Cristina Martins): You have a minute and a half.

Mr. Robert Bailey: I'm done.

The Chair (Mrs. Cristina Martins): Thank you, Mr. Bailey. We now go over to Mr. Gates.

Mr. Wayne Gates: Good morning. How are you?

Ms. Teresa Piruzza: Wonderful, thanks.

Mr. Wayne Gates: Good. I just have a few questions, and then I'll expand as I go.

As a former Liberal MPP in Windsor West and a leadership contestant, it's pretty clear which party you hold your ties to. In spite of these ties, are you prepared to serve in your role on the board as non-partisan?

Ms. Teresa Piruzza: Absolutely. Being an MPP wasn't—I've been a Liberal, so to speak, for a number of years, whether as an MPP—and I think I've shown in my past experiences, when I was at the city for 10 years working with all community agencies across the city, that certainly I can serve in that role. Partisanship has no role to play when you're working as a community across agencies and really listening to different perspectives and different ideas about how to better your community.

Mr. Wayne Gates: Thank you; I appreciate that.

You talked about employment. Being an MPP for one term, two terms—

Ms. Teresa Piruzza: One term.

Mr. Wayne Gates:—one term, and working for the city, you would also know that for the last number of years—certainly the last 10 years—Windsor has had one of the highest unemployment rates in the country, year after year, which really puts a lot of pressure on the students that are graduating, particularly the local students—I've got Brock University in Niagara. The kids want to stay at home. They want to stay with their parents; they want to live in the communities where they grew up. How do you see the university getting more actively involved in making sure that the students stay and have opportunities in Windsor, knowing that we've got an unemployment crisis in Windsor?

Ms. Teresa Piruzza: Again, that's a full community response. It's not something that the university can do on its own.

Just in terms of the unemployment rate, I will say that over the last number of months, the unemployment rate in Windsor has gone down, given the investment and the work that's being done at the FCA plant in Windsor and the suppliers and the larger community impact. In fact, I will say that our unemployment has gone down. You're right: There were a number of months where the Windsor region had the highest unemployment rate, but we don't now. It has come down. I'm quite pleased to see the community working together towards that. But what role the university has: Again, it's working with industry to make sure that they are providing the appropriate experiences and partnerships, even in terms of co-ops or internship-type positions. But it's not an issue that the university in itself is going to be able to resolve. It's being part of the community, working with other agencies, working with the colleges and, together, working towards that end.

Mr. Wayne Gates: I'm glad you raised the Chrysler plant. It's my understanding you work there?

Ms. Teresa Piruzza: I work at FCA Canada.

Mr. Wayne Gates: The University of Windsor has always been well known for their research in the automotive industry. Unfortunately, it has started to move away from that as the industry moves south. This year, the big three automakers will be going into bargaining, which will have a major effect on the industry as a whole. Given the university's interest in and ties to the automotive industry, do you believe the board should actively support the auto workers during the negotiations to ensure the industry can survive in Ontario and particularly in Windsor?

Ms. Teresa Piruzza: Well, in terms of negotiations, as with all negotiations, negotiations are between the employer and the labour group, as you know, and I don't know that either party would really welcome a third agency coming into those negotiations as well.

In terms of research, automotive research continues quite regularly at the University of Windsor. If you're interested, you're welcome to come down and see our research centre that we have in Windsor. The amount of research that is done there in celebrating our 20th year and the type of research and collaboration that the

university does: That continues. There actually hasn't been a reduction in terms of automotive research that's done at the Ed Lumley Centre for Engineering Innovation. That work does continue.

Mr. Wayne Gates: I appreciate the fact about the negotiations. I was the president of Unifor Local 199 at GM and participated in bargaining for 12 years, so I do know the importance of having universities support the workers during the bargaining process.

Some of the concerns around Chrysler—and your employer has been out very clearly talking about the fact that the plants in Canada are in jeopardy, for two reasons: One is the hydro costs, which the university can't do anything about but, obviously, with you working there you have to have some concerns, and the other one is the trans-Pacific trade agreement, which they said has the potential to lose 20,000 jobs. The union there, Unifor, has come out against the trans-Pacific trade agreement very clearly, saying that it could be the death of the auto industry.

I know it might not have anything to do with your appointment on the board, but certainly—

Ms. Teresa Piruzza: It doesn't.

Mr. Wayne Gates: Let me finish the question. It certainly would have an incredible effect on the university and the number of students who will be able to afford to go to university if Chrysler ends up leaving this country or drastically reducing its production in Windsor. We've already seen the effects of the transmission plant leaving Windsor and the Ford plant leaving Windsor and General Motors leaving Windsor, so Chrysler is really

the heart and soul when it comes to manufacturing. I guess that's the reason why I'm saying that it might help if the University of Windsor does support the auto workers there.

I don't have any other questions for you. Thanks.

The Chair (Mrs. Cristina Martins): Thank you very much, Mr. Gates. Thank you, Ms. Piruzza; you may now step down.

We will now consider the concurrence for Ms. Sharyn Vincent, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario). Mr. Kwinter will move the concurrence, I believe.

Mr. Monte Kwinter: I move concurrence in the intended appointment of Sharyn Vincent, nominated as member, Ontario Municipal Board (Environment and Land Tribunals Ontario).

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried. Congratulations, Ms. Vincent.

We will now consider the concurrence for Teresa Piruzza, nominated as member, University of Windsor board of governors. Once again, Mr. Kwinter.

Mr. Monte Kwinter: I move concurrence in the intended appointment of Teresa Piruzza, nominated as member, University of Windsor board of governors.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? The motion is carried. Congratulations, Ms. Piruzza.

Seeing that there is no further business, the committee is adjourned.

The committee adjourned at 0954.

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Legislative Assembly of Ontario

First Session, 41st Parliament

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Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 7 June 2016

Journal des débats (Hansard)

Mardi 7 juin 2016

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Intended appointments

Comité permanent des organismes gouvernementaux

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Tuesday 7 June 2016

Mardi 7 juin 2016

The committee met at 0904 in committee room 2.

The Chair (Mrs. Cristina Martins): Good morning, everyone. Welcome to this morning's Standing Committee on Government Agencies. We do have a subcommittee report that we will be reviewing at the end of concurrences today.

We're going to start right away and move on to the appointments that we have here today. We have two intended appointees to hear from, and we will be considering the concurrences following the interviews.

INTENDED APPOINTMENTS

DR. ANDREA GEDDES POOLE

Review of intended appointment, selected by third party: Andrea Geddes Poole, intended appointee as member, Consent and Capacity Board.

The Chair (Mrs. Cristina Martins): Our first intended appointee today is Andrea Geddes Poole, who is being nominated as member, Consent and Capacity Board.

I'm going to ask Ms. Andrea Geddes Poole to please step forward and take a seat at the table. I want to welcome you here today. You may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Questioning, when that time does come up, will begin with the official opposition.

Ms. Geddes Poole, you may start.

Dr. Andrea Geddes Poole: Good morning, Madam Chairman, members of the standing committee. I very much appreciate the opportunity to appear before you regarding my candidacy as a public member of the Consent and Capacity Board. I believe I can bring to the board a breadth of experience acquired both in my professional career and from my work as a volunteer with a number of different charities.

I currently serve as the executive director of the Bhutan Canada Foundation, a not-for-profit NGO based in Toronto that sends Canadian teachers of English, science and maths to public schools in remote regions of the Himalayan kingdom of Bhutan. Prior to that, I was a professor of modern history at Trent University for seven years, and there, I taught a variety of courses to all levels of undergraduates subsequent to my receiving my PhD from the University of Toronto in 2004.

I came to graduate school, however, as an experienced lawyer. I earned my first law degree from Oxford University, and I also hold an LLM from NYU. My practice was centred in New York City, where I worked as a litigation associate with two law firms: Hughes Hubbard and Reed, where I had a general commercial practice mainly focused on antitrust and toxic tort; and subsequently with the firm of Fried, Frank, Harris, Shriver and Jacobson, where my litigation practice was based more on securities-related transactions. During this period, I learned the importance of clarity when interpreting legislation, parsing administrative regulations and distinguishing applicable rulings.

During this time, I also served as a pro bono lawyer with the Lawyers' Committee for Human Rights, which had just been established when I was called to the bar. With the Lawyers' Committee, I helped establish our lawyer-to-lawyer network, which paired lawyers practising in countries where their human rights or freedom-of-speech practice put them in peril of arbitrary detention or worse, with buddy lawyers in Europe and North America. I also defended a number of refugee claimants in exclusion and asylum proceedings.

No one would claim that I have a linear career path, and yet I believe this diversity of background, encountering many different forms of experience and challenge, is actually a strength and an asset that I can bring to the Consent and Capacity Board.

I believe, however, that my volunteer experience with the mental health community also provides me with a certain degree of familiarity with the work of the board. When I was a student at Oxford, I worked with the Samaritans suicide hotline, where part of the training is designed to help front-line volunteers distinguish between different varieties and degrees of mental despair.

When I was a young lawyer in New York, I also volunteered with the Mental Health Association of New York City, advising families mainly on the state of the law as it pertained to involuntary committal, the "danger to themselves or others" criterion, and the rights of persons apparently suffering from a mental disorder.

As the members of the standing committee can also see from my curriculum vitae, I have volunteer experience beyond the mental health community, having also worked as a front-line receptionist at the Daily Bread Food Bank and as a member of various boards of directors. I believe that this varied experience points to a

broad set of interests, a certain degree of adaptability, an ability to work well with others on boards and committees, and a willingness to learn new skills and take on new challenges.

I would say, however, that I also have the personal experience of shepherding my father through 10 years of the different stages of the diminishing capacity that comes with progressive dementia. This, I feel, just as much as any of my professional or volunteer experience, has prepared me also to contribute to the Consent and Capacity Board.

To gain a better understanding of the Consent and Capacity Board's mandate and practice, I have reviewed the governing legislation, the Health Care Consent Act of 1996; and I attended two panels assembled by the board.

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Finally, I would also like to say that I truly believe that public service is both a privilege and an obligation that I would be honoured to discharge.

I would welcome any questions that the committee would like to put before me.

The Chair (Mrs. Cristina Martins): Thank you very much. We are now going to begin questioning with the official opposition. Mr. Pettapiece?

Mr. Randy Pettapiece: Good morning. I have a list of questions here and you pretty well answered most of them, so I do appreciate that. You seem to be very well prepared in your statement and certainly well prepared in understanding what this board does.

Have you ever sat on a government committee before?

Dr. Andrea Geddes Poole: No, I have not.

Mr. Randy Pettapiece: And you haven't practised law in Ontario? Is that correct?

Dr. Andrea Geddes Poole: That is also correct.

Mr. Randy Pettapiece: I understand that the hearing panels are made up of a lawyer, a psychiatrist and a community member. Which type of member are you being appointed as?

Dr. Andrea Geddes Poole: As a public member.

Mr. Randy Pettapiece: A public member, a community member?

Dr. Andrea Geddes Poole: Yes, exactly.

Mr. Randy Pettapiece: Do you consider yourself well enough versed in Ontario's laws, which govern and are implemented by this board?

Dr. Andrea Geddes Poole: I have two responses to that. First of all, I believe that, as a lawyer, I'm actually able, probably as well as any community member, to read and understand the legislation and look at the regs and the rules that govern it, but I also understand that the CCB is very good at training its public members.

Finally, I do understand that the role of the community member is not necessarily to try to play psychiatrist or play lawyer. The lawyers and the psychiatrists on the panel do that pretty well. I think that the role of the community member is to represent, in a sense, the public. I feel really capable of being able to do that. I think my ability to actually read legislation is sort of a bonus.

Mr. Randy Pettapiece: I'm sure it is.

You also spoke about caring for your father. My parents are certainly in the same group as yours, although dementia isn't an issue with them. But they're 90 years old, and it's getting to be quite an age.

The board doesn't have any jurisdiction to settle disputes over elder care. Do you think that is something that requires a change in the board, that maybe that should be coming? The reason I ask that is, as a demographic, we are all living longer, and there may be some times when a board such as this might play a part with the elderly. I just wondered if that's something you had looked at.

Dr. Andrea Geddes Poole: I think that's an interesting question. What I would do would be to stick a pin in that question until I had actually served on the board for a while and had more of a sense of what their current workload is, in the sense of what the backlog is currently and how pressed they are to deal with the current issues before them, before really looking at whether it would make sense to recommend that they expand. I suspect that reviewing their mandate is something that a board of this kind would do on a fairly regular basis.

Mr. Randy Pettapiece: Certainly, when those lay-people come before the board, there can be an adversarial process involved. From your knowledge of the board, do you have any ideas on how you can make the hearing process less adversarial?

Dr. Andrea Geddes Poole: I have found, actually, in my experience in any committee or any volunteer board on which I've sat, that making elements less adversarial and making proceedings more civil very often hinges on listening to people with a great deal of respect, and letting them have their say and attending. I would say that that would likely be the best way of proceeding. That's, in a sense, almost good manners.

Mr. Randy Pettapiece: From what I understand, the board has posted a deficit, and the caseload has increased over the years, certainly. I think that gets back to the way our population is changing.

There needs to be some improvement to the financial stability and quality of service, I believe. Have you looked at any of those things? Have you studied anything that would help out with the financial stability and quality of service?

Dr. Andrea Geddes Poole: I have not studied the financial aspects of the board at all at this point, but I understand that that's something that is an ongoing concern, and I would imagine that it would be something that members would be involved in at least scrutinizing.

But no, to this point, I have not looked at the finances.

Mr. Randy Pettapiece: Thank you, Chair.

The Chair (Mrs. Cristina Martins): Are those all of your questions? Mr. Bailey?

Mr. Robert Bailey: No, I'm good.

The Chair (Mrs. Cristina Martins): Okay, very good. Let me just reset the clock here, Mr. Gates, so we get you all the right time. We're going to go on to Mr. Gates now. Thank you so much.

Mr. Wayne Gates: Thank you. What contribution would the witness like to make to the work of the board?

Dr. Andrea Geddes Poole: In the sense of—

Mr. Wayne Gates: Your contribution—why would you want to get on this board? What would you like to do to improve it?

Dr. Andrea Geddes Poole: I have spent a good deal of my volunteer experience working with the mental health community. I find the work of this board uniquely important. But I would also like to point out that one of the reasons why I think this board is important is that it wields a great deal of authority. I'm of the opinion that one impinges on citizens' rights and the quiet enjoyment of their liberties with a great deal of second thought.

As an historian, I can point to a handful of cases from the 20th and 19th centuries where people were held involuntarily on the strength of one or two psychiatrists. I think that the way this particular committee and board is set up is tremendously important. I think that as a community member, one of the things that I can bring is a sense of perspective on the importance of this board and also the importance of individual liberties.

Mr. Wayne Gates: You touched on an issue that's extremely important with mental health. We're seeing now that 20% of society does have some form of mental health issues; equally concerning to me is the number of young people. So we certainly have to put more resources into mental health, rather than having what's going on today. It's a big concern.

I just have a couple of more questions. Having served on the leadership campaign of our current Premier, as well as the campaign team of the current mayor of Toronto, it's quite clear that you have some strong ties to particular political parties and other elected officials. Since you are now being appointed as a member of a non-partisan board, are you prepared to ensure that all of your actions as a member of the board are similarly non-partisan?

Dr. Andrea Geddes Poole: Without question.

Mr. Wayne Gates: I was hoping for a longer answer. I've got 10 minutes here. I didn't have a lot of questions. What are you doing to me?

The Chair (Mrs. Cristina Martins): Seven minutes.

Mr. Wayne Gates: It's fine. I'm good.

Interjection.

Mr. Wayne Gates: I wrote that down too, so I'll be checking up on that as we go forward.

Since 2008, the Consent and Capacity Board has seen a 53% increase in applications, as well as a 73% increase in the number of hearings conducted. However, during that same period, the budget for the board has stayed at pre-2006 levels, leading to a deficit of \$1.33 million in 2014-15.

Do you have any plans or ideas, beyond simple cost-cutting measures, of how the board could eliminate the deficit?

Dr. Andrea Geddes Poole: I wish I did. I don't at this stage, but I would certainly be open to looking at the different expenses of the board.

0920

In a sense, I currently don't feel that I have sufficient information to come up with that, but I would hope that after a year or two, I would have sufficient perspective and understanding of the board that I might be able to proffer helpful suggestions to our chair.

Mr. Wayne Gates: Having said that, you applied for the board, obviously because, from your resumé, you like to volunteer; you like to do some stuff. Did you know that they had a \$1.33-million deficit in 2014-15?

Dr. Andrea Geddes Poole: At the time I applied, no, I was not aware of that, and that did not actually form part of my application.

Mr. Wayne Gates: But it becomes concerning when you know that. You've been around a long time. You're going to a board that's already in severe deficit and has some real challenges.

The last part of that question, which I think is equally as important: Does the board require more funding from the provincial government? This is a very important board that you're applying for.

Dr. Andrea Geddes Poole: I agree.

Mr. Wayne Gates: I think it's very important for the province of Ontario to make sure that it's funded properly. Do you think that maybe the provincial government should take a serious look at this, get rid of the deficit and give them more funding?

Dr. Andrea Geddes Poole: Again, that goes a bit beyond my mandate as a community member. But I would simply say as a citizen of the province of Ontario that, yes, we have established that this is an important board. Yes, it appears to be in deficit. I would imagine that there should be scrutiny of how you can balance the needs of the citizens of the province of Ontario—which do not seem to be diminishing—regarding mental health concerns.

Mr. Wayne Gates: Mental health is a huge challenge. Thanks very much.

The Chair (Mrs. Cristina Martins): We're now going to go to questioning from the government side. You have four minutes and 46 seconds left. We're going to start with Mrs. McGarry.

Mrs. Kathryn McGarry: Thank you very much for coming this morning.

The Consent and Capacity Board is something I worked with very closely. I was a care coordinator for a CCAC and a critical care nurse in the emerg and intensive care unit, so I had many clients that were coming in, patients that were coming in, under a form 1, which is involuntary admission. Many of those folks came in in crisis and did not want to be involuntarily admitted to the hospital. Under the form, there were 72 hours where they would have to have a psychiatrist examine them and then decide whether that form should stand or not.

In saying that, it was something that I was very aware of, with the legislation, and we often did give the information—well, we always gave the information—about the Consent and Capacity Board. Often the patient

was not able to take advantage of it at that particular time.

The other place where I used the Consent and Capacity Board fairly often was in my role as a care coordinator when I was counselling for long-term-care admission. Patients who were looking at trying to make some of those decisions as to where their living arrangements were going to be in the future absolutely had to have capacity established prior to being able to sign some of the forms to do that.

Where it got tricky was if a patient was just on that edge of not quite capable, but not quite incapable yet, and families would step forward and take out a power of attorney for personal care. If there was just one particular family member with a power of attorney to assist the incapacitated patient in making the decisions, that was one thing. But where it got quite tricky was when you had maybe five or six siblings who all had to agree. You'd have one who had decided that Mom was perfectly capable and her wish not to leave her home should be adhered to, even though Mom was truly not capable of living alone. Then the other siblings disagreed, and there would often be very difficult meetings, often with the patient in tears and a lot of stress and family issues around that. At that point, we would turn it over to the Consent and Capacity Board.

I note in your CV that not only were you a lawyer dealing with human rights, but you've also been a long-term volunteer for those suffering from mental health issues, which I think is a good combination in terms of serving on this board. Can you tell me how all of that experience that you've had prepares you to be an effective member of the Consent and Capacity Board?

Dr. Andrea Geddes Poole: I would say that very likely the most important lesson I have learned from my years of volunteering with people in mental distress is that they need to be looked at as individuals who have found themselves in a spot of trouble and that these are individuals with rights that you need to take quite seriously, and balance that with an obligation to take care of the vulnerable. That can be a very tricky balancing act at times.

I think that the one thing that I've learned from my years volunteering with this community is that you have to be very respectful of not only the people who are in stress but also their families, who, almost certainly, mean only the best for their child, sibling or parent.

The Chair (Mrs. Cristina Martins): You have about 30 seconds left.

Mrs. Kathryn McGarry: Okay. In that capacity, do you feel that you have all that you need to be able to make some of those decisions and to work with the families in a caring manner?

Dr. Andrea Geddes Poole: I would hope that I would.

Mrs. Kathryn McGarry: Thank you very much.

The Chair (Mrs. Cristina Martins): Thank you very much, Ms. Andrea Geddes Poole. We will do the voting at the end of the next presentation.

Dr. Andrea Geddes Poole: Thank you.

MR. PAUL DeVILLERS

Review of intended appointment, selected by third party: Paul DeVillers, nominated as member and vice-chair, Consent and Capacity Board.

The Chair (Mrs. Cristina Martins): Our next intended appointee today is Mr. Paul Joseph DeVillers, who is being nominated as a member of the Consent and Capacity Board. Please come forward. Thank you for being here today.

You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. When questioning does begin, we will begin with the third party. Welcome to committee. You may begin.

Mr. Paul DeVillers: Thank you, Madam Chair and committee members. I last appeared before this committee in March 2006. That was when I was first appointed as a part-time lawyer member to the CCB.

My background prior to that was that I grew up in the town of Penetanguishene, which is famous—or infamous—for the health care facilities that are located in that place. As a summer student, I worked at the mental health centre in Penetanguishene—Oak Ridge, as it was called then—so I got some exposure to the mental health system as a student.

I attended the University of Ottawa and obtained my law degree and practised for a year in Ottawa before returning home, and practised law there for 20 years. During that time, I did represent patients before the—it was called the review board at that time, because it was before the separation of the CCB and the Ontario Review Board. So I had, again, experience with the system.

After 22 years of practising law, I was elected the member of Parliament for Simcoe North and spent 12 and a quarter years as a member of Parliament, dealing with constituents. Frequently there were mental health issues that came to pass in the course of my constituency work.

While in the Parliament of Canada I chaired several committees, including the Standing Committee on Justice and Human Rights.

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In the last Chrétien cabinet I was appointed as secretary of state. I was a three-headed monster, as I used to call myself. I was the Secretary of State for sport, which was in heritage; I was the Secretary of State for physical activity, which was in health; and I was the deputy House leader. That was the background.

Then in 2006, I chose not to run. I had a lot of help in that decision from my wife, but we had decided that enough was enough. We know the vigour and price that family life pays on representing people the way you folks do here as well. In 2006, I was still a very young man and I thought that I should find something to engage my time. We had a three-year-old grandson that I am father to—

his biological father is not on the scene, so that was going to require a lot of my time, and I focused on that a lot.

But I did apply to be appointed to the Ontario Review Board, because that's the one I knew, but at the time I was told that there were no vacancies at the ORB, so they offered, "Why not try the CCB?" Frankly, I'd never heard of it at that point. I was more familiar with the ORB.

I've spent the last 10 years doing the ORB work. In the beginning I would do maybe four or five hearings a month, and that was just the amount of work I was looking for at that point in time. It was originally a three-year appointment, and I was reappointed for five years and then another two years, to give a total of 10 years. In the latter part—in the last three or four years—as you're aware, the workload at the board has just about doubled and the members have not doubled. So there are a lot more hearings and I would guesstimate that I presided over, I'd say, 200 to 250 hearings last year.

Now, a lot of those are mandatory reviews for community treatment orders. They're uncontested, done by teleconference and you can do four or five in a day with a panel. So it wasn't 250 full-blown hearings, but the workload is quite staggering for those of us who are able to accept when the call comes.

In the Ottawa region there are no pre-bookings, so you're called the day before the hearing. With the legislation, from the time the application is received, it has to be heard within seven days. That doesn't give the schedulers at the board a lot of time, so they need to be calling people that are going to say, "Yes, I'm available. I'll be there tomorrow." That's the position I'm in. I can say yes more frequently than I have to say no, so that's why I think I'm out there so much.

Presently, I made application to be appointed as vice-chair to assist the chair. On the application I remember that one of the questions was, "What are you going to do as the vice-chair?" I said, "I'm going to do what the chair asks of me. That's what a vice-chair does." That's what I'm hoping to do. Obviously, from my background, I hope to be able to assist the chair in a number of ways.

Currently, as a senior lawyer member—that's a designation that the chair makes with any lawyer who has at least two years' experience on the board. As a senior lawyer, I now am involved in the performance evaluation program. I do evaluation of other members. I'm involved in many other working groups, such as organizing the annual educational session that we have at the board every year in October. I'm on that committee organizing. I'm doing some of, I would think, what would be the role of the vice-chair currently.

Un de mes atouts est que je suis bilingue. Je suis capable de présider les audiences en français. Je dirais qu'il y a à peu près six à huit audiences chaque année que je préside dans la langue française.

That's something that is lacking on the board. There are not a lot of bilingual or French-speaking members. A lot of the board directors have other languages as well, where interpretation is required. But to serve the Ontario

francophone community, they have a right to request a hearing in French and the board should be able to fulfil that.

Madam Chair, I'm prepared to take questions at any time now.

The Chair (Mrs. Cristina Martins): Perfect. Thank you very much. Merci bien d'être ici aujourd'hui.

We are now going to begin questioning with the third party. Mr. Gates, you have 10 minutes.

Mr. Wayne Gates: Thanks very much. I agree with you that you should have the opportunity to have your hearing heard in French, so I'm glad that you can speak French.

Before I get into my formal questions—family is important to everybody around the room. What I've found that really balances my job up here is that I find that if you have a happy wife, you usually have a happy life. I just thought I'd throw that out.

Mr. Paul DeVillers: I'm working on that.

Mr. Wayne Gates: I just thought I'd throw that out. It sounds like you made the right decision on that issue.

Mr. Paul DeVillers: I've been working on it for 47 years. I don't have it down yet.

Mr. Wayne Gates: That's very good. Congratulations. It's not easy.

I've got a few questions here. Having served as a Liberal MP—congratulations on that—for the riding of Simcoe North, it is quite clear that you have strong ties to a particular political party and maybe other elected officials. Since you're now being appointed as vice-chair of a non-partisan board, are you prepared to ensure that all your actions as a member of that board are similarly non-partisan?

Mr. Paul DeVillers: Yes. That's precisely what I've been doing for the last 10 years. I've had no political activity. It's not permitted. I do have to point out that during that period of 10 years, I did take a leave from the board. Through the Conflict of Interest Commissioner, I got permission and I returned and I did the caucus liaison during the last eight months that Stéphane Dion was the leader of the official opposition in Ottawa. But that was done through the Conflict of Interest Commissioner. In fact, even when Mr. Dion was no longer the leader and the new leader didn't appreciate some of my skills, shall we say, and I was replaced, I still had to sit out until the next due date for my appointment to be reappointed. That was a condition that the Conflict of Interest Commissioner put on it.

So I understand fully the requirement to be non-political, and I think I've done that according to the rules for the last 10 years and pledge to continue to do that.

Mr. Wayne Gates: Thank you very much. I asked this question earlier this morning, but seeing that you're both trying to get onto the same board, it's a fair, reasonable question to ask the two of you. Since 2008, the Consent and Capacity Board has seen a 53% increase in applications as well as a 73% increase in the number of hearings being conducted. However, during that same period, the budget for the board has stayed at pre-2006

levels, leading to a deficit of \$1.33 million in 2014-15. If this trend continues, will the board continue to be able to function properly, given its serious lack of cash?

Mr. Paul DeVillers: It's not my role to come here and suggest to the legislators how they should spend the taxpayers' money. I can say that one of the tasks I hope I can assist the chair with is negotiating the process to make sure that the board is sufficiently funded, but as I say, it's up to the legislators to make those decisions, given the input that will be received from all sources. But obviously, if a board is underfunded, given the increase in the workload, something is going to have to give.

The Chair (Mrs. Cristina Martins): You have six minutes, Mr. Gates.

Mr. Wayne Gates: Thank you. To follow up on that question: To be able to do your job, I believe it should be funded properly. If that means getting more funds from the province to make sure that people with mental health issues are taken care of in the province of Ontario, I think it's something that, as vice-chair of the board, I would expect and certainly would want you to fight for, for people with mental health issues.

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The challenges are enormous in our communities right across the province. You may or may not know I'm from the riding of Niagara Falls. We have lots of challenges around mental health. As a matter of fact, in our area, police officers are sitting six and seven hours in the emergency rooms because of mental health and some of the issues that are related to that. Some of that is because of funding issues.

Hopefully, if you get voted in today, you'll take a serious look at making sure that you do your job properly on behalf of the residents of the province of Ontario. Funding would be an issue. I know you're not there yet, but you've been around this game a long time. You understand the importance of having money.

Mr. Paul DeVillers: Yes, I do. I also understand the stress and strain put on the board staff, the schedulers who have to schedule 60, 70 hearings a day, with a part-time board trying to fill all the spots. They're under a tremendous amount of pressure, and I would be happy to advocate for them as well.

Mr. Wayne Gates: Thank you. I've just got one last question.

The Chair (Mrs. Cristina Martins): Sure. You have time.

Mr. Wayne Gates: It's a serious issue in Canada right now, and there's a lot of discussion going on. When medically assisted dying becomes the law in Canada, it seems reasonable that the Consent and Capacity Board would be considered as a possible place for decisions surrounding that issue to be made. Do you believe the CC board would be able to consider those cases—and I'll do one more part—and do you believe the CCB should be asked to consider those cases?

Mr. Paul DeVillers: Again, sir, with respect, I don't think it's my role to suggest to the Legislature what roles to give to the board. It's the role of the board to fulfill the mandate that is provided to it.

I know there are conflicts of jurisdictions when we're talking about the current legislation that's before the Parliament of Canada. But I think it would be inappropriate for me to make comments on the record here at this time that, depending on whatever role the CCB may or may not have in that—to come back later. It would, I think, be inappropriate.

Mr. Wayne Gates: All right. Thank you.

The Chair (Mrs. Cristina Martins): Thank you very much, Mr. Gates.

We are now going to turn the questioning over to the government side. You have two minutes and 22 seconds. Marie-France Lalonde, please.

Mrs. Marie-France Lalonde: Bonjour. Good morning. First of all, I want to say thank you very much for being here this morning and for all your years as a public servant. As a Legislature, we certainly know how hard it is, and the will of the wife—the spouse, I should say—has precedence at times.

Mr. Paul DeVillers: Thank you.

Mrs. Marie-France Lalonde: I had the great pleasure last year, actually, of participating in the 400-year celebration of the French presence in Penetanguishene. I have to say, what a lovely area that is. When you talk about culture and a sentiment of our nation and what we represent as Canadians—certainly, I had the wonderful pleasure of being there, and I wanted to share that with you.

It's not really a question, but I want to express the sentiment, from a Franco-Ontarienne, to know how difficult it is to sometimes be served en français, in French. I know you did speak a little bit of français and you're fluently bilingual. It is very appreciated that you are committing to continue and to help on this committee, but also being able to represent the Franco-Ontarians. So thank you very, very much for that, Mr. DeVillers.

Mr. Paul DeVillers: You're welcome. One of the issues, too, is that the patients need to be aware that they can be served in French. Often, we'll arrive at a hearing and just about everyone is able to function in French, but nobody had requested a French hearing.

Mrs. Marie-France Lalonde: Active requests, right? Le service actif.

Maybe I'll ask my colleagues if they have any questions. But I just want to say merci beaucoup.

M. Paul DeVillers: Merci.

The Chair (Mrs. Cristina Martins): Ms. McGarry, please.

Mrs. Kathryn McGarry: I know that you were in the room when you were hearing my background with CCAC, and my dependence, during my role as a care coordinator for CCAC, on the Consent and Capacity Board.

I wanted to know, do you feel that some of the background that you talk about, in terms of representing patients at the review board, will really be able to assist you in your role on the Consent and Capacity Board?

Mr. Paul DeVillers: Yes, I think so, because I think I understand—

The Chair (Mrs. Cristina Martins): Thank you, Mr. DeVillers. That is all the time for the government side. I apologize.

We're now going to have to move the questioning over to the official opposition. Mr. Bailey.

Mr. Robert Bailey: Thank you, Mr. DeVillers, for appearing here today. I wanted to applaud you for your service, both as an MP and a minister, and now with the Consent and Capacity Board. I always like to see former members, whether they're federal or provincial, come back and serve in some way. I think with all of the experience you have as a member, whether it's provincial or federal, you certainly bring something to the table. So I applaud you for that service as well.

I had a couple of questions for you. As a present member of the board, have you got any ideas of where you could see some improvement, as vice-chair, that you'd like to see happen at the board? I'll give you a couple of questions; that way you can kind of expand on your answers. Having sat on the board for a number of years already, what achievements are you personally most proud of that you have accomplished with your colleagues on the board?

Mr. Paul DeVillers: As far as achievement goes, it's being able to provide a full and fair hearing to the clients who come before the board. In my experience I outlined, I did work at Oak Ridge in the 1960s as a summer student. That was before much of this legislation was enacted. It's designed to protect patient rights, and that's what the board's role is, to make sure that clients of the mental health system are getting a full and fair adjudication of their issues. As straightforward as I can be is that if I can have and continue to provide that service to the clientele, I would be satisfied.

Mr. Robert Bailey: Good. As was mentioned in the previous deputation, elder care and concerns with family members are going to continue to be a growing issue. Do you have any thoughts on that—where you see us going as a society and things that you can do at the board to advise the government?

Mr. Paul DeVillers: I think also, it's to help educate the people who are on the front lines, dealing with the elderly people. Recently the chair, Ms. Marg Creal, was in Ottawa to do some outreach to stakeholders and to deal with the board. I was able to arrange a session with the Champlain CCAC and some of their associates who work in the nursing homes and long-term-care homes. Speaking of the board growing, I can see that, because of the demographics, being an area where the board is going to become more and more active. There will be more applications coming, dealing with those issues of placement and capacity to consent to placement etc. that we do now, but I can see as the population ages, we'll likely be doing more.

Mr. Robert Bailey: Okay. That's fine.

The Chair (Mrs. Cristina Martins): Is that it?

Mr. Robert Bailey: Yes.

The Chair (Mrs. Cristina Martins): Thank you very much, Mr. DeVillers. You may step down.

Mr. Paul DeVillers: Thank you, everyone, for your attention.

The Chair (Mrs. Cristina Martins): This concludes now the time for the interviews. I want to thank both of you for being here today and for your presentations.

We will now consider the concurrence for Ms. Andrea Geddes Poole, nominated as member, Consent and Capacity Board. Would someone please move the concurrence? Ms. Lalonde.

Mrs. Marie-France Lalonde: I move concurrence in the intended appointment of Andrea Geddes Poole, nominated as member, Consent and Capacity Board.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Opposed? The motion is carried. Congratulations.

We will now consider the concurrence for Mr. Paul Joseph DeVillers, nominated as member, Consent and Capacity Board. Would someone please move the concurrence? Ms. Lalonde.

Mrs. Marie-France Lalonde: I move concurrence in the intended appointment of Paul Joseph DeVillers, nominated as member, Consent and Capacity Board.

The Chair (Mrs. Cristina Martins): Any discussion? All in favour? Any opposition to that? No one opposes. The motion is carried.

Congratulations, Mr. DeVillers, as well.

We have a subcommittee report that we wanted to review, I believe. I was just going to ask if we would just wait perhaps until the guests left before we began that discussion, if everyone agrees with that.

Interjection.

The Chair (Mrs. Cristina Martins): I think there was a little bit of confusion as to the actual title of the appointment of Mr. Paul Joseph DeVillers, so I'm just going to read that into the record.

Mr. Paul Joseph DeVillers has just been appointed as member and vice-chair, Consent and Capacity Board. Congratulations once again. Thank you so much.

Now that we have the record corrected—yes, Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, I wonder if we could have about a five-minute recess to deal with some issues that were just handed to us.

The Chair (Mrs. Cristina Martins): There has been a request for a five-minute recess to review the report and submissions that have just been circulated. Are we all in agreement with that? Okay. We'll take a five-minute break.

The Chair (Mrs. Cristina Martins): We will be back at 9:57.

The committee recessed from 0952 to 0957.

SUBCOMMITTEE REPORT

The Chair (Mrs. Cristina Martins): We'll resume our discussion on the subcommittee report from the subcommittee meeting that took place yesterday. Can I please have someone read the subcommittee report into the record? Mr. Pettapiece.

Mr. Randy Pettapiece: Your subcommittee on committee business met on Monday, June 6, 2016, to consider the method of proceeding with agency reviews, and recommends the following:

(1) That the committee conduct agency reviews during the summer adjournment and that the Chair be directed to write to the House leaders requesting the authorization of the House for the committee to meet during the summer adjournment.

(2) That each caucus select one agency for review and report its selection at the Tuesday, June 7, 2016, meeting of the committee.

(3) That the research officer report to the committee whether any committee of the Legislative Assembly had reviewed any of the following agencies within the last five years:

(a) Hydro One;

(b) Ontario Energy Board;

(c) Province of Ontario Council for the Arts (Ontario Arts Council).

(4) That the committee, at its meeting on Tuesday, June 7, 2016, determine further details relating to the agency reviews.

The Chair (Mrs. Cristina Martins): Is there any debate on what was just read into the record from the subcommittee report? Ms. Vernile.

Ms. Daiene Vernile: I was at the subcommittee meeting, and I have to tell you that I take exception to the points that are on the subcommittee report.

First of all, asking for a review of “any of the following agencies”—and there are three listed: I actually asked for a review of all agencies with all committees, and I don’t see that here.

Secondly, Chair, you’re being directed to write to the House leaders requesting the authorization of the House for the committee to meet during the summer adjournment. And, again on the record, I did not agree to that.

The Chair (Mrs. Cristina Martins): Thank you, Ms. Vernile.

Any further discussion on this? Mr. Pettapiece.

Mr. Randy Pettapiece: I’m a little confused by those comments that you didn’t agree to some of this.

Ms. Daiene Vernile: Well, you left early, Mr. Pettapiece. The discussion continued, and we did not agree to travel for the summer. Taking this back to my caucus—agreeing to travel, which is a large commitment—is an important thing to do to get feedback from people. This is a larger conversation that I need to have with my caucus. I don’t have their invitation or their permission to speak on their behalf.

We do have another caucus meeting that is going to happen before the House rises. However, consultation, support and commitment are required, and we don’t have that at this point.

Mr. Randy Pettapiece: So you haven’t talked to any of your caucus about this?

Ms. Daiene Vernile: We have—

Mr. Randy Pettapiece: Can I ask if we can do it this way? Can I go back and forth here?

The Chair (Mrs. Cristina Martins): Sure, you can go back and ask—go through me, please.

Ms. Daiene Vernile: I’ve had an initial conversation, but what I need to do is to speak to the other 58 members of my caucus and to have agreement on that. This is a very large commitment.

Mr. Randy Pettapiece: I see. So you haven’t done that yet?

Ms. Daiene Vernile: It’s a larger conversation that we need to have. Our caucus will be meeting before we rise.

I would suggest that on something this important, rather than raising this three days before the House rises, it could have been initiated sooner. However, I would suggest that, in the interest of better planning, we continue this conversation as soon as we return. In fact, I would suggest that there be a subcommittee meeting perhaps a week before we resume sitting to further plan this, to make an agreement then.

Mr. Randy Pettapiece: Madam Chair, I just had one question.

The Chair (Mrs. Cristina Martins): Yes, Mr. Pettapiece.

Mr. Randy Pettapiece: You haven’t discussed this with your caucus yet? That’s the only question I asked her.

Is that correct?

Ms. Daiene Vernile: With the entire caucus—the answer is that we haven’t had a caucus meeting yet in order to discuss it.

Mr. Randy Pettapiece: No, that’s the only question I asked.

Ms. Daiene Vernile: And you have your answer. Thank you.

Mr. Randy Pettapiece: Thank you.

The Chair (Mrs. Cristina Martins): Thank you, Ms. Vernile. Ms. Lalonde?

Mrs. Marie-France Lalonde: I just want to reiterate, and I know that the member opposite would know this: We, as whips, try to consult very much. This has not yet been consulted in the sense of: What is the agency that our caucus would want? I think our subcommittee representative did not have that opportunity, unfortunately.

I very much appreciate what she’s proposing, and certainly would support it. I just think that the time frame is a little too short for us.

The Chair (Mrs. Cristina Martins): Ms. McGarry.

Mrs. Kathryn McGarry: This hasn’t come to caucus yet. This is this afternoon’s meeting.

I also wanted to look at some of the other work that’s going on this summer. There is another committee that is travelling extensively which I think other members in all three parties will need to sub on.

Summer is often the time when we meet with our constituents from all parties to work on some of the important legislation that our constituents want us to take forward. I know that the other committee that’s travelling is out for a long period of time and, as I said, other members probably of all three parties will need to take part and to sub on.

I know that in my region of Waterloo, we have all three parties represented. This was actually a discussion of ours just informally about how much travel there was in other committees this summer. I have MPP Harris and MPP Fife in our area, and we're all kind of thinking that this is a time when we're going to have to take time out of our constituencies to go and travel, which is fine, but it requires that planning. I would see this as a burden, really, for all members to be out of their constituencies that long.

More to the point of a broader consultation, I would think that if this had come forward two or three weeks ago when we had time to bring it to caucus before we had to make a decision, it would have probably been better planning. However, I think that the suggestion that we take the time over the summer to think about it, perhaps have the subcommittee come back, as MPP Vernile had suggested—maybe before the House resumes in the fall—and there can be a broader consultation at that point on how to plan this properly so that all members feel they can participate. I think that that would be my suggestion.

The Chair (Mrs. Cristina Martins): Thank you very much, Ms. McGarry. Just one point of clarification here: I know there is some concern that has been raised by the government side with regard to the agencies and having to definitely go back to caucus to determine whether or not this continues to be the agency to review it. I've just been briefed here by the Clerk that typically agency reviews do not travel and that the subcommittee report on the table right now does not request travel—so just to have that clarified for everyone here today.

You had other points as well, so I'll leave those as they are. I believe we had Mr. Gates first.

Mr. Wayne Gates: I will listen to the Liberals, if you like, and then I'll respond to their concerns.

The Chair (Mrs. Cristina Martins): I recognized that you had your hand up.

Mr. Wayne Gates: Okay. I'm a little surprised at what they're saying. First of all, I agree—I'll go through the Chair. When we had this discussion last year with the Chair, and Mr. Fraser was the Chair at that time—with all three parties, by the way. This wasn't just something that came up three days ago. We had this discussion. I was quite surprised that it wasn't approved. That's kind of where this all came from.

The Conservatives picked Hydro One and we picked the Ontario Energy Board, and at that time the Liberals, through consultation obviously with their caucus and everybody else, would have picked the Province of Ontario Council for the Arts. So for you to come here today and say, "Well, we didn't take it to our caucus" isn't quite accurate.

Ms. Daiene Vernile: We haven't had a caucus meeting yet.

Mr. Wayne Gates: Let me finish. I'm talking, and you guys can say whatever you like afterwards.

So you've certainly been aware of it. I'm surprised that you're not aware that last year we had actually talked extensively on having it last summer. For whatever

reason, I'm not really even sure of—I'd have to check again why it got thrown off. There are no surprises here. We've had extensive dialogue and talk between the parties on particularly these three agencies to be reviewed. To say that you're surprised at it—I'm a little surprised at your comments.

It's not like we're travelling all over the province. There's not a great amount of time that goes into this. If you read your notes, you can see that some have gone as quickly as two hours. Some go on to nine hours. To say that about constituencies: We all have members that we take care of back in our ridings, but this is also very, very important to get these done. We finish June 10, I believe. I think that's the last day here. Is that the date?

The Chair (Mrs. Cristina Martins): June 9.

Mr. Wayne Gates: We're not coming back till September. You have lots of time to meet with anybody who has any problems in your ridings, including the riding of Niagara Falls. This is important work. It should be done. You picked the Province of Ontario Council for the Arts, so obviously you talked to somebody over the course of last year on that issue. So I'm very, very surprised by where you're at today—and disappointed, by the way.

The Chair (Mrs. Cristina Martins): Ms. Vernile.

Ms. Daiene Vernile: Just for clarification, Mr. Gates, we have not had a caucus meeting yet. It's occurring this afternoon. Hence the reason why, since yesterday to this morning, we don't have clarity for you on that. But our caucus will be meeting this afternoon.

I too am surprised. I'm surprised that such a large issue like this was put on the table before us three days before the House rises. This requires a greater conversation. It is a big commitment, which is not to say that we're not committed to investigating this and possibly even travelling, but it requires a greater conversation. I think that our commitment is to making an informed decision rather than a rushed decision.

Chair, we're ready to vote on this if you will have us do that.

The Chair (Mrs. Cristina Martins): Is there any further discussion? Mr. Pettapiece.

Mr. Randy Pettapiece: Not really. I think we know what's going to happen here, Chair, so what's the sense of us—

Interruption.

Mr. Randy Pettapiece: Some of us would really like that lawn mower to shut off out there.

Anyway, there isn't a lot of travel, as has been discussed here, so time-wise—in fact, I don't think there is any travel.

Mr. Wayne Gates: There is no travel.

Mr. Randy Pettapiece: So time-wise, I don't think that's a valid argument. However, I have listened with much interest to the government's side on the discussions, so I can pretty much tell how the vote is going to go. I'm sorry, Mr. Gates; that is what's going to happen.

Mr. Wayne Gates: What's that?

Mr. Randy Pettapiece: I can pretty much tell how the vote is going to go here. I'm prepared to vote on the motion.

The Chair (Mrs. Cristina Martins): Are we prepared to vote, then? Mr. Gates, before we vote?

Mr. Wayne Gates: I'd like a recorded vote as well.

The Chair (Mrs. Cristina Martins): There has been a request for a recorded vote.

Shall the subcommittee report, as read into the record, be adopted?

Ayes

Bailey, Gates, Pettapiece.

Nays

Kwinter, Lalonde, McGarry, Rinaldi, Vernile.

The Chair (Mrs. Cristina Martins): The motion has been lost.

If I may, there was a proposal by Ms. Vernile—I don't know if you wanted to repeat that or not—with regard to meeting in September.

Ms. Daiene Vernile: Yes: possibly meeting a week before the House resumes sitting to set a date.

The Chair (Mrs. Cristina Martins): Did you want to discuss that further? We'll just leave it?

Ms. Daiene Vernile: We're going to give it some consultation, Chair, and we will be back in touch with you.

The Chair (Mrs. Cristina Martins): Okay; perfect.

Any further discussion at this point? Mr. Pettapiece.

Mr. Randy Pettapiece: Other than—I read in the paper this morning—don't invite the capybara into your house if you live in Toronto. It's not housebroken. Just be careful of that. They haven't captured any of them.

The Chair (Mrs. Cristina Martins): Thank you very much for that, Mr. Pettapiece.

The Chair (Mrs. Cristina Martins): Seeing that there is no more business, the committee is adjourned. Thank you very much.

The committee adjourned at 1012.

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